

IN RE: PETITION FOR SPECIAL HEARING  
E/S of a private road off of  
Chippendale Road, 367'N of the  
c/l of Chippendale Road  
(1406 Chippendale Road)  
8th Election District  
3rd Councilmanic District

\* BEFORE THE  
\* DEPUTY ZONING  
\* COMMISSIONER OF  
\* BALTIMORE COUNTY

Henry T. Dawes, et al.,  
Petitioners

\* Case No. 95-198-SPH

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing filed on behalf of the owners of the subject property, Henry T. Dawes, by Thomas D. Dawes, Attorney-in-Fact, and Thomas D. Dawes. The Petitioners seek a further amendment to the Order of this Deputy Zoning Commissioner rendered in case no. 94-105-SPH, dated December 14, 1993 as that Order was first amended by an Amended Order dated December 21, 1993. The amendment requested in this case is to permit the immediate recordation of Lot 12D, Ridgemont West as shown on the Partial Development Plan, Plat Two, Section Two of Ridgemont West and approval for application and issuance of a building permit therefor, and a further extension of time for Petitioners to file an action in the Circuit Court for Baltimore County regarding issues of title relative to the proposed extension of Ridgemont Road, in accordance with Petitioners' Exhibit 1. Appearing on behalf of the Petitioners, who are represented by Howard L. Alderman, Jr., Esquire, was Randolph W. Brinton. Appearing as a Protestant in the matter was Stuart D. Kaplow, Esquire on behalf of an adjoining property owner, Arthur Becker. Testimony indicated that the subject property, Lot 12D, as shown on Petitioners'

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Date

By

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Exhibit 1 is located south and outside of an area of land for which fee simple title is unclear, and through which the bed of the extension for Ridgemont Road is to be constructed. The Petitioners wish to exclude from the effect of the Order in Case No. 94-105-SPH, Lot 12D such that a record plat therefor may be recorded among the Land Records of Baltimore County immediately and Petitioners or their assigns can apply for and receive a building permit for said lot. The concern of the Protestants as articulated by Mr. Kaplow, is that permitting the recordation of Lot 12D without conditions would potentially remove a substantial portion of incentive from the Petitioners to resolve issues of title which preclude the dedication of the Right of Way for the Ridgemont Road extension. The Petitioners and counsel for the Protestants availed themselves of the opportunity to attempt to reconcile and reach a compromise with respect to the desires of each. Counsel for Petitioners was permitted to proffer, in detail, the compromise as agreed.

After due consideration of the compromise proffered it appears that the relief requested in the Special Hearing should be granted, subject to the restrictions set forth hereinafter. It has been established previously and reestablished at this hearing that the requirements from which the Petitioners seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to a public health, safety and general welfare, provided that the below conditions are incorporated.

Pursuant to the advertisement, posting of the property, and

ORDER RECEIVED FOR FILING  
Date 3/6/95  
By [Signature]

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public hearing on the Petition held, and for the reasons given above this Special Hearing should be granted as conditioned herein.

THEREFORE IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 6<sup>th</sup> day of March, 1995 that the Petition for Special Hearing to approve the Amended Partial Final Development Plan and to permit the recordation of Lot No. 12D only as shown on Petitioners' Exhibit 1 and to permit Petitioners and their successors or assigns to apply for and receive a building permit therefore is hereby granted subject to the following conditions:

1. Petitioners shall file a Complaint in the Circuit Court for Baltimore County, to resolve the fee simple title issues necessary for the complete dedication of the forty foot wide right of way to Baltimore County for the extension of Ridgemont Road as shown on Petitioners' Exhibit 1 and Petitioners shall use best efforts to diligently pursue to conclusion said action.

2. At such time as fee simple title of the land necessary for dedication of the extension of Ridgemont Road as shown on Petitioners' Exhibit 1 is vested in Petitioners, the Petitioners shall immediately dedicate the said forty foot right of way, together with a ten foot revertible slope easement to Baltimore County at no cost to the County.

3. Until such time as the forty foot wide right of way has been dedicated to Baltimore County for the extension of Ridgemont Road as shown on Petitioners' Exhibit 1, no building permits shall be issued on Lots 14A, 4C and 3C as shown on Petitioners' Exhibit

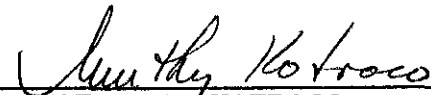
ORDER RECEIVED FOR FILING  
Date 3/6/95  
By [Signature]

RECEIVED

1. Petitioners and Protestants shall dismiss, with prejudice, immediately any and all pending appeals that one has against any development or zoning approvals of the other. Furthermore, Petitioners agree not to further appeal the decision of the County Board of Appeals for Baltimore County in Case No. 94-256-SPH.

4. Petitioners shall be permitted to record a record plat among the Land Records of Baltimore County for Lot 12D only.

5. Upon the filing of the Circuit Court action as required by this Order, Petitioners, their successors and/or assigns may immediately apply for a building permit for Lot 12D.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

March 6, 1995

Howard L. Alderman, Jr., Esquire  
Levin & Gann  
305 W. Chesapeake Avenue  
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING  
E/S private road off Chippendale Road, 367' N of c/l Chippendale Road  
(1406 Chippendale Road)  
8th Election District - 3rd Councilmanic District  
Henry T. Dawes, et al - Petitioners  
Case No. 95-198-SPH

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Thomas D. Dawes, 11811 Ridgemont Road, Lutherville, Md. 21093

Stuart D. Kaplow, Esquire  
5125 Roland Avenue, Baltimore, Md. 21210

People's Counsel

File

**MICROFILMED**





# Petition for Special Hearing

95-198-SPH

## to the Zoning Commissioner of Baltimore County

for the property located at 1406 Chipendale Road  
which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

a further amendment to the Order and Amended Order in Case NO. 94-105-SPH to permit the immediate recordation of Lot 12D and the issuance of a building permit therefor, and for a further extension of time within which Petitioners are required to file an action in the Circuit Court for Baltimore County regarding ownership issues related to the proposed extension of Ridgemont Road.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

N/A  
(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

Howard L. Alderman, Jr., Esquire  
Levin & Stein, P.A.  
305 W. Chesapeake Avenue, Suite 113  
Towson, MD 21204

Signature  
Howard L. Alderman Jr. 321-0600  
Address Phone No.

City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

HENRY T. DAWES  
(Type or Print Name)

Signature  
Henry T. Dawes by Thomas D. Dawes, Attorney in Fact

THOMAS D. DAWES  
(Type or Print Name)

Signature  
Thomas D. Dawes

11811 Ridgemont Road 252-8657  
Address Phone No.

Lutherville, MD 21093  
City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Thomas D. Dawes  
Name

11811 Ridgemont Rd. 21093 252-8657  
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1-2 hr.  
unavailable for Hearing

the following dates \_\_\_\_\_ Next Two Months

ALL ☒ OTHER

REVIEWED BY: MTK DATE 11/30/94

ORDER RECEIVED FOR FILING

Date 3/10/95

By [Signature]

MICROFILMED



# EXAMPLE 3 • Zoning Description

- 3 copies

95-198-SPH

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 1406 Chippendale Road, Lutherville, MD 21093

Election District 8th

(address)

Councilmanic District 3 rd

## The proposed amendment

Beginning at a point on the east side of a private road  
(north, south, east or west)

Chippendale Road & Private Road

which is 50' wide & 20' wide  
(street on which property fronts) (number of feet of right-of way width)

wide at a distance of 367 feet north of the  
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street Chippendale Road cul de sac  
(name of street)

which is 50' diam. cul de sac at end of 50' r.o.wide. \*Being Lot # 12  
(number of feet of right-of-way width) (The CL of the cul de sac is 970'

west and north of the CL of Ridgemont Road.)

Block D, Section # Section Two in the subdivision of

Ridgemont West as recorded in Baltimore County Plat  
(name of subdivision)

Book # SM 63, Folio # 16, containing 1.234 acres

or 56,366.64 s.f.  
(square feet and acres)

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber     , Folio     " and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

#193

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Townson, Maryland

95-198-SPH

District: 8th

Date of Posting 12/16/94

Posted for: Special Hearing

Petitioner: Henry + Thomas Powers

Location of property: 1406 Chippen Dale Rd, E/S

Location of Signs: Facing road way, on property being zoned

Remarks: \_\_\_\_\_

Posted by M. H. Hatcher  
Signature

Date of return: 12/22/94

Number of Signs: 1

MICROFILMED



# NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #98-198-SPH  
(Item 193)

1408 Chippendale Road  
E/S private road and Chippendale Road, 367' N of  
of Chippendale out de sac  
8th Election District  
3rd Councilmanic  
Legal Owner(s):

Henry T. Dawes and  
Thomas D. Dawes

Hearing: Thursday

January 12, 1995 at  
10:00 a.m. in Rm. 118, Old  
Courthouse.

Special Hearing to approve  
a further amendment to the Or  
der and Amended Order in  
Case: #94-105-SPH to permit  
the immediate recordation of  
Lot 12D and the issuance of a  
building permit therefor, and for  
a further extension of time  
within which Petitioners are re  
quired to file an action in the  
Circuit Court for Baltimore  
County regarding the  
ownership issues related to the  
proposed extension of Ridge  
mont Road.

LAWRENCE E. SCHMIDT  
Zoning Commissioner to  
Baltimore County

NOTES: (1) Hearings are Hand  
capped Accessible for special ac  
commodations Please Call  
887-3353.

(2) For information concern  
ing the File and/or Hearing Please  
Call 887-3391.  
12/154 December 15.

## CERTIFICATE OF PUBLICATION

TOWSON, MD.,

12/15, 1994

THIS IS TO CERTIFY, that the annexed advertisement was  
published in THE JEFFERSONIAN, a weekly newspaper published  
in Towson, Baltimore County, Md., once in each of 1 successive  
weeks, the first publication appearing on 12/15, 1994.

THE JEFFERSONIAN,

A. Henrickson

LEGAL AD. - TOWSON



Baltimore County  
Zoning Administration &  
Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt

95-198-SPA

Account: R-001-6150

Number

Item Number: 193

Taken In By: JMDIC

Date 11/30/94

Dawes, Thomas D. — 1406 Chipendale Rd.

030 - Special Hearing — \$ 50.00

080 - 1 sign posting — \$ 35.00

Total — \$ 85.00

MICROFILMED

01AD1#0245MICHRC

8A C002#29PM11 30-94

\$85.00

Please Make Checks Payable To: Baltimore County

Cashier Validation



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

**PAYMENT WILL BE MADE AS FOLLOWS:**

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 193

Petitioner: Thomas D. Dawes

Location: 1406 Chipendale Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Thomas D. Dawes

ADDRESS: 11811 Ridgmont Road  
Lutherville, MD 21093

PHONE NUMBER: 252-8657

PAID TO COUNTY

AJ:ggs

(Revised 04/09/93)



TO: PUTUXENT PUBLISHING COMPANY  
December 15, 1994 Issue - Jeffersonian

Please forward billing to:

Thomas D. Dawes  
11811 Ridgmont Road  
Lutherville, Maryland 21093  
410-252-8657

---

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-198-SPH (Item 193)  
1406 Chippendale Road  
E/S private road and Chippendale Road, 367' N of c/l Chippendale cul de sac  
8th Election District - 3rd Councilmanic  
Legal Owner(s): Henry T. Dawes and Thomas D. Dawes  
HEARING: THURSDAY, JANUARY 12, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Special Hearing to approve a further amendment to the Order and Amended Order in Case #94-105-SPH to permit the immediate recordation of Lot 12D and the issuance of a building permit therefor, and for a further extension of time within which Petitioners are required to file an action in the Circuit Court for Baltimore County regarding the ownership issues related to the proposed extension of Ridgmont Road.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

December 8, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-198-SPH (Item 193)

1406 Chippendale Road

E/S private road and Chippendale Road, 367' N of c/l Chippendale cul de sac

8th Election District - 3rd Councilmanic

Legal Owner(s): Henry T. Dawes and Thomas D. Dawes

HEARING: THURSDAY, JANUARY 12, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Special Hearing to approve a further amendment to the Order and Amended Order in Case #94-105-SPH to permit the immediate recordation of Lot 12D and the issuance of a building permit therefor, and for a further extension of time within which Petitioners are required to file an action in the Circuit Court for Baltimore County regarding the ownership issues related to the proposed extension of Ridgemont Road.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon  
Director

cc: Henry and Thomas Dawes  
Howard L. Alderman, Jr., Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

December 22, 1994

Howard L. Alderman, Jr., Esquire  
305 W. Chesapeake Avenue, Suite 113  
Towson, Maryland 21204

RE: Item No: 193  
Case No.:95-198SPH  
Petitioner: Henry and Thomas Dawes

Dear Mr. Alderman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on November 30, 1994.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i. e. zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,  
A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration &  
Development Management

FROM: Pat Keller, Director  
Office of Planning and Zoning

DATE: December 21, 1994

SUBJECT: 1406 Chipendale Rd.

INFORMATION:

Item Number: 193

Petitioner: Dawes Property

Property Size:

Zoning: RC-5

Requested Action: Special Hearing

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Based upon a review of the information provided, staff offers the following comment:

This Petition lacks justification to further amend the Order and amended Order in Case No. 94-105 SPH. The subject request would, if granted, nullify conditions set forth in Restriction # 2 as modified by the amended order dated December 21, 1993.

The petitioner has already far exceeded the three month period established in the amended Order to file a Petition to Quiet Title. It appears that the petitioner has no immediate plans to file such a Petition in Circuit Court but seeks to obtain a building permit for Lot 12D, which is contrary to another condition in modified Restriction # 2. Modified Restriction # 2 would allow issuance of a building permit upon the filing of a Petition for Quiet Title.

In the opinion of this office, the issuance of a building permit for Lot 12D will remove the incentive to pursue the resolution of the title issue. Furthermore, the petitioner has presented no information to justify the relief request; therefore, we recommend that the requested Special Hearing be denied.

Prepared by: Gary L. Keens

Division Chief: Gary L. Keens

PK/JL

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director December 13, 1994  
Zoning Administration and  
Development Management

FROM: J. Lawrence Pilson *JLP*  
Development Coordinator, DEPRM

SUBJECT: Zoning Item #193 - Ridgemont West (Dawes) - Lot 12D  
1406 Chipendale Road  
Zoning Advisory Committee Meeting of December 12, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Environmental Impact Review

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

Ground Water Management

The existing well on Lot 12D must be re-yield tested prior to building permit.

✓  
JLP:GCS:TE:sp

DAWES/DEPRM/TXTSBP

2025 12 13



BALTIMORE COUNTY, MARYLAND  
I N T E R O F F I C E   C O R R E S P O N D E N C E

TO: Arnold Jablon, Director      DATE: Dec. 19, 1994  
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, Chief  
Developers Engineering Section

RE: Zoning Advisory Committee Meeting  
for December 19, 1994  
Item No. 193

The Developers Engineering Section has reviewed the subject zoning item. Show on the plan the 10-foot revertible slope easements on the east and west side of the 40-foot right-of-way extension of Ridgemont Road from Lot 8 Block D of the Becker property line. Also, clarify the number of acres included in Lot 12D. The Final Development Plan shows 2.046 Acres+/- . This Petition indicates an area of 1.294 Acres.

RWB:sw



**Maryland Department of Transportation  
State Highway Administration**

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

12-7-94

Ms. Julie Winiarski  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No.: \$ 193 (MTK)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*

*for*

Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RECEIVED  
DEC 10 1994

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 12/08/94

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RECEIVED  
DEC 9 1994

ZADM

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF DEC. 12, 1994

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 190, 191, 192, 193, 194  
195, 196 AND 198.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED

Hearing 1/12

RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
1406 Chippendale Road, E/S private \* ZONING COMMISSIONER  
road and Chippendale Road, 367' N \* OF BALTIMORE COUNTY  
of c/l Chippendale cul de sac, 8th \*  
Election Dist., 3rd Councilmanic \*  
  
Henry T. Dawes and Thomas D. Dawes \* CASE NO. 95-198-SPH  
Petitioners \*

\* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*

CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12<sup>th</sup> day of December, 1994, a copy of the foregoing Entry of Appearance was mailed to Howard L. Alderman, Jr., Esquire, Levin & Gann, P.A., 305 W. Chesapeake Avenue, Suite 113, Towson, MD 21204, attorney for Petitioners.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN

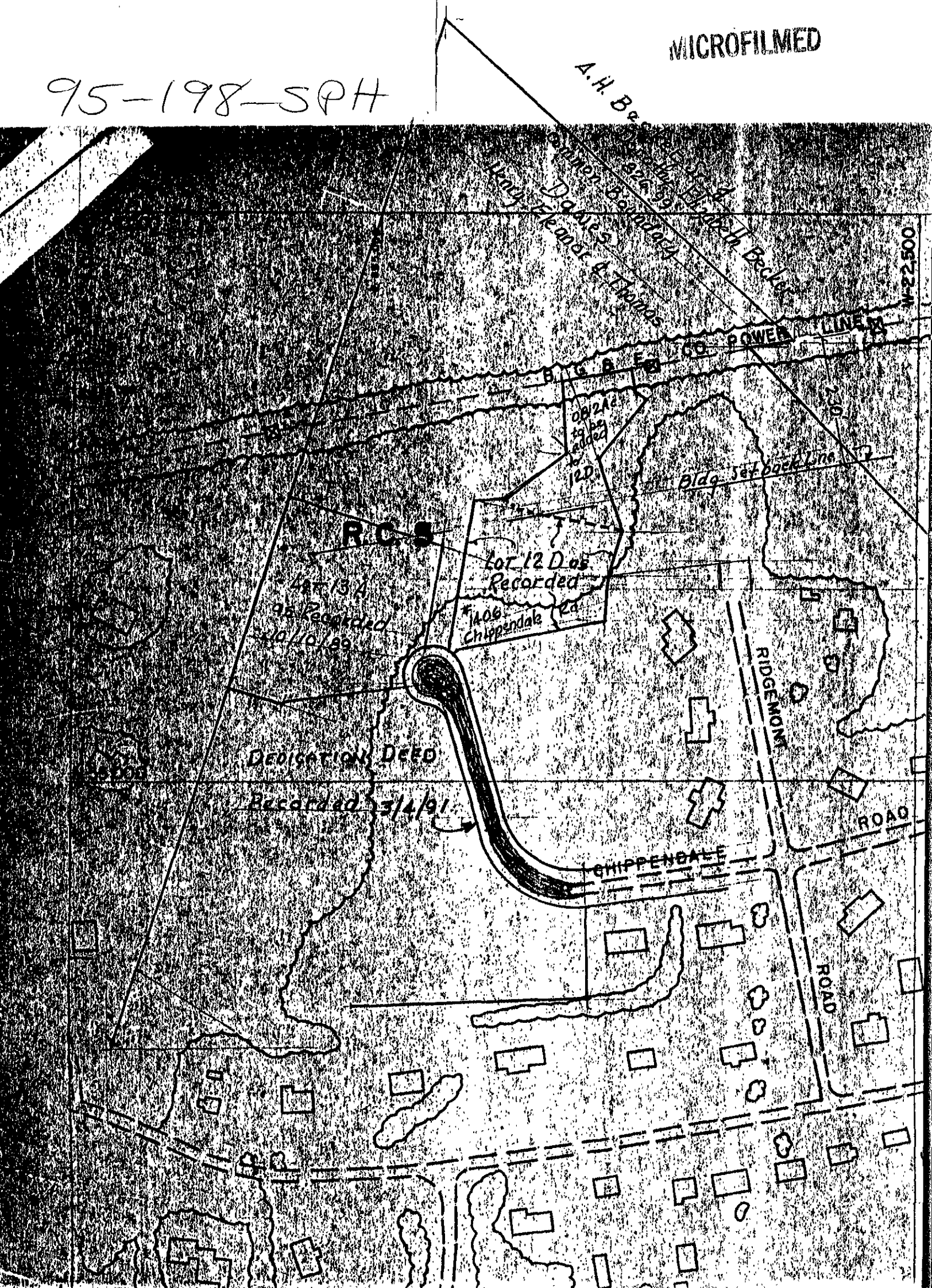
RECORDED & INDEXED



#193

95-198-SPH

MICROFILMED



Property Tax Acct. No:

**COUNTY HIGHWAY DEED**

THIS DEED, made this 23RD day of November, in the year 1954, by HENRY T. DAWES and THOMAS D. DAWES and KATHARINE K. DAWES, his wife, collectively the "Grantors."

WITNESSETH, that in consideration of the sum of Five (\$5.00) Dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said Grantors do grant and convey unto BALTIMORE COUNTY, MARYLAND, a body corporate and politic, its successors and assigns, in fee simple, for public highway purposes, all that lot of ground situate, lying and being in the Eighth Election District of Baltimore County, State of Maryland, and described as follows, that is to say:

BEING a parcel of land across the property of the Grantors, said parcel of land containing 0.472 acres of land, more or less, to be used for the construction and extension of Ridgemont Road, as shown, delineated and indicated "40' R/W Extension of Ridgemont Road 0.472 Ac.  $\pm$ " on a Baltimore County, Office of Law, Division of Real Estate drawing prepared by David Ransone, Professional Land Surveyor, which is attached hereto and made a part hereof Exhibit A.

BEING a portion of the property described in a Confirmatory Deed from Henry T. Dawes and Eleanor French Dawes, his wife, and Thomas D. Dawes and Katharine K. Dawes, his wife, Grantors, unto Henry T. Dawes and Eleanor French Dawes,

his wife, and Thomas D. Dawes and Katharine H. Dawes, his wife, Grantees. The said Eleanor French Dawes departed this life on October 4, 1994.

BEING also a portion of that property, the title to which was vested in the Grantors herein by virtue of an Order dated \_\_\_\_\_ by Judge \_\_\_\_\_ of the Circuit Court for Baltimore County, pursuant to a Complaint for Adverse Possession filed by Grantors herein, said case being docketed as Case No. \_\_\_\_\_.

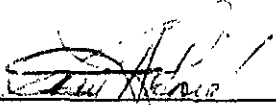
TOGETHER WITH the appurtenances and advantages to the same belonging or in anywise appurtenanting.

TO HAVE AND TO HOLD the above granted property unto Baltimore County, Maryland, a body corporate and politic, its successors and assigns, in fee simple, for public highway purposes.

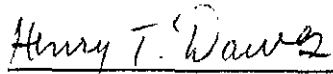
AND the said Grantors hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed and that they will execute such further assurances of the same as may be requisite.

AS WITNESS the due execution hereof by the aforementioned Grantors.

WITNESSES:

  
\_\_\_\_\_

GRANTORS:

 (SEAL)  
Henry T. Dawes

[Signature]

Thomas D. Dawes (SEAL)  
Thomas D. Dawes

[Signature]

Katharine K. Dawes (SEAL)  
Katharine K. Dawes

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY that on this 23RD day of NOVEMBER in the year 1994, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared HENRY T. DAWES, and he acknowledged the foregoing Deed to be his act, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS my Hand and Notarial Seal.

[Signature]  
Notary Public

My commission expires: 11-1-95

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY that on this 23RD day of November, in the year 1994, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared THOMAS D. DAWES, and he acknowledged the foregoing Deed to be his act, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS my Hand and Notarial Seal.

[Signature]  
Notary Public

My commission expires: 11-1-95



STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY that on this 23RD day of NOVEMBER, in the year 1994, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared KATHARINE K. DAWES, and she acknowledged the foregoing Deed to be her act, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS my Hand and Notarial Seal.

*Q. L. Blucher*

Notary Public

My commission expires 11-1-95

Reviewed for form and legal sufficiency  
and approved for execution this \_\_\_\_\_ day  
of \_\_\_\_\_, 199\_\_\_\_

Shirley M. Murphy, Special Assistant  
to County Attorney

\_\_\_\_\_, Director  
Department of Public Works

APPROVED and ACCEPTED this

day of

BALTIMORE COUNTY, MARYLAND

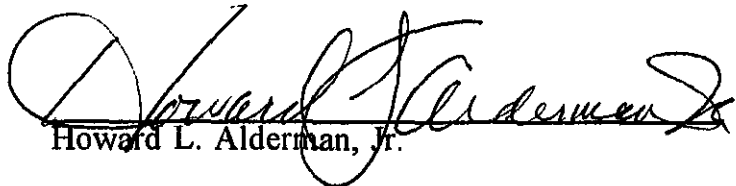
ATTEST:

BY:

Charles A. "Dutch"  
Eppersberger, III  
County Executive

**ATTORNEY'S CERTIFICATION**

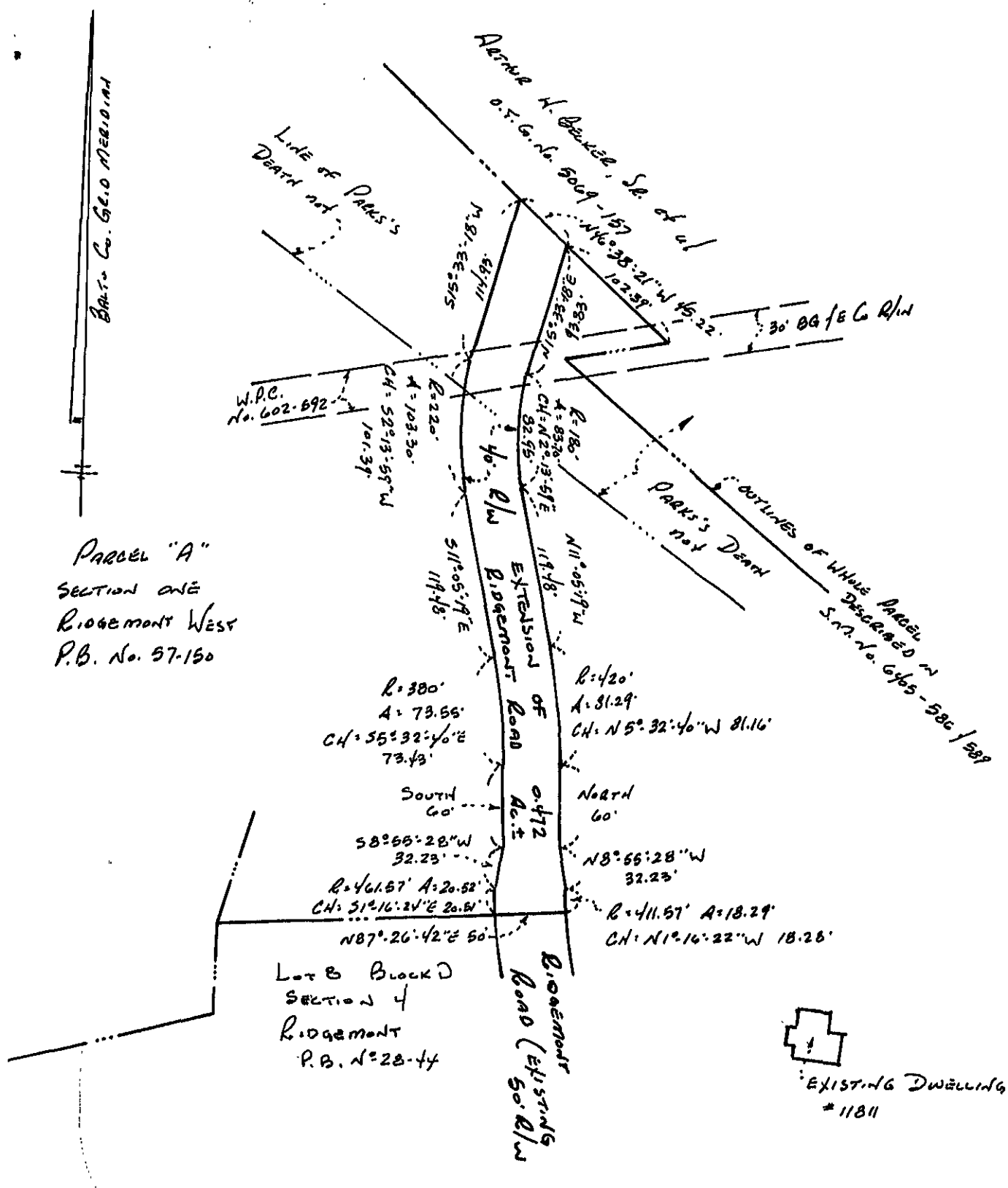
I HEREBY CERTIFY that the above instrument was prepared by me, an attorney admitted to practice before the Court of Appeals of Maryland, or under my supervision.

  
Howard L. Alderman, Jr.

**AFTER RECORDATION, PLEASE RETURN TO:**

Howard L. Alderman, Jr., Esquire  
Levin & Gann, P.A.  
305 W. Chesapeake Avenue  
Suite 113  
Towson, Maryland 21204

**MICROFILMED**



NOTE: THE AREA OF THE 40' R/W OF THE EXTENSION OF RIDGEMONT ROAD THAT LIES IN THAT PART OF THE PROPERTY INDICATED AS PARKS'S DEATH NOT IS CLAIMED BY POSSESSION BY THE GRANTOR OF THE DEED TO WHICH THIS PLAN IS ATTACHED.

MICROFILMED

### EXTENSION OF RIDGEMONT ROAD

BALTIMORE COUNTY		OFFICE OF LAW		DIVISION OF REAL ESTATE	
DISTRICT NO. 8		POSITION SHEET NO.		FEDERAL PROJECT NO.	
		CONSTRUCTION PLAN NO.		MARYLAND PROJECT NO.	
APPROVED DIRECTOR OF PUBLIC WORKS		<input type="checkbox"/> AREA TO BE ACQUIRED <input checked="" type="checkbox"/> REVERTIBLE SLOPE EASEMENT <input checked="" type="checkbox"/> TEMPORARY CONSTRUCTION AREA		<input checked="" type="checkbox"/> EXISTING COUNTY R/W <input checked="" type="checkbox"/> AREA TO BE RELEASED <input checked="" type="checkbox"/> TEMPORARY SLOPE EASEMENT	
DATE		ITEM NO.		DATE 11-13-94 SHEET 1 OF 1 SCALE 1" = 100' B.C. JOB ORDER NO. R W - -	
APPROVED CHIEF OF REAL ESTATE		RECORDED		SURVEYOR REG. NO. 10920 REVISIONS	
DATE		DRAWN BY			
APPROVED SUPERVISOR OF DRAFTING		PLAT CHECKED			
DATE		AREA CHECKED			
		TITLE CHECKED			

#193

November 30, 1994

(410) 252-8657

11811 Ridgemont Road  
Lutherville, MD 21093

Mr. Mitch Kellman  
ZADM, Room 109  
County Office Building

RE: "A further amendment to the Order and Amended Order in Case No. 94-105 SPH to permit the immediate recordation of Lot 12D and the issuance of a building permit therefor, and for a further extension of time within which Petitioners are required to file an action in the Circuit Court for Baltimore County regarding ownership issues related to the proposed extension of Ridgemont Road."

Dear Mr. Kellman:

Enclosed herewith are 10 prints of the "Final Development Plan, (1st Amendment to FDP of Plat 2, Sect. II-Lot 12D + Plat 1, Sect. 2-Lot 13A, Tract A + Lot 12A); Ridgemont West - Section Two" showing "Lots 12D, 14A, 3C, 4C & Parcel 14D".

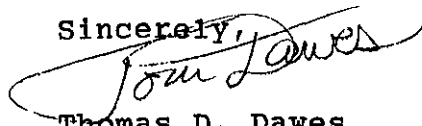
These are prints of the same original from which prints were taken for the 10/25/93 hearing, Case No. 94-105 SPH.

I have updated the original for ownership and recording of Declarations for various purposes in the Land Records of Baltimore County

Also enclosed are three original "Petition for Special Hearing" prepared by Howard L. Alderman, Jr., Esquire, and our check in the amount of \$85.00. I assume we will be billed directly for the advertising.

Thank you for your attention to this matter.

Sincerely,



Thomas D. Dawes

CC:  
Families Blanton & Pettit (Chippendale Road residents)  
Howard L. Alderman, Jr., Esquire  
Henry T. Dawes

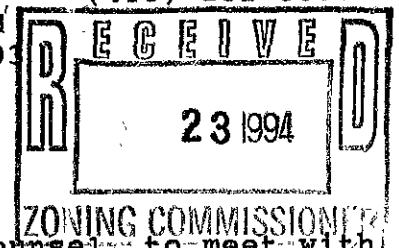
11/30/94  
11/30/94

November 20, 1994

11811 Ridgemont Road  
Lutherville, MD 21093

(410) 252-8657

Mr. Arthur H. Becker, Jr.  
544 Tepper Road  
Severn, MD 21144



RE: Invitation to the Becker Family, and Counsel, to meet with  
Howard L. Alderman, Jr., Esquire

Dear Mr. Becker:

Thank you for responding (11/15/94) to the subject invitation to review a proposal that:

- 1) allows Dawes building permits for two lots at Chippendale Road and,
- 2) gives the Becker Family continuing standing before the Deputy Zoning Commissioner until the County accepts the deed to the 40' r.o.w. for the extension of the Ridgemont Road to the Becker Property by the owners thereof.

You see no connection between the Wally Court development by The Becker Family and our Ridgemont West while your father persists in using the County appeal system to force on us a connection between our two lots on Chippendale Road and your family's difficulty with Baltimore County regarding the Ridgemont Road extension.

Your father is capable of compromise. His offer last fall to build the Ridgemont Road extension at your convenience and expense made it reasonable for us to agree to record all of our remaining property long in advance of our need to do so. Now, he seems determined to keep spending money on legal counsel to deny my brother and me the benefit of owning the land that we have spent five years and tens of thousands of dollars to process through the County's system of subdivision (and appeals). [The final plan (devised by P.D. Fields on 9/30/94 in your presence) cannot be recorded until your father withdraws his appeal of our enlarging Lot 12D to 2.046 acres.]

[During the time my brother is here for Thanksgiving (11/22 through 11/27), we hope to meet with your father so we may all understand what our respective interests are.]

Your "actions in Wally Court" have helped us with our "difficulties in Ridgemont" because Deputy Zoning Commissioner Timothy Kotroco wrote an order for each of the two properties.

The order Mr. Kotroco wrote for your family in February has been cited as "exemplary" by the County Board of Appeals (CBA). That very order (along with the CBA opinion of 8/8/90) now may be used to support the relief that we are seeking.

We seek a separation of our activities on Chippendale Road from your difficulties with Ridgemont Road.

We have suggested to Mr. Alderman a very practical first step toward dealing with your difficulty with the County.

Whatever Mr. Alderman estimates Phase I of the title clearing case cost will cost, if the two families split that cost, then neither family is committed to underwrite a process of unknown cost and duration.

There is no way to predict the difficulties that may be encountered because there is no way to predict how many people may hire counsel to create difficulty.

RECEIVED

Mr. Arthur H. Becker, Jr.  
PAGE TWO  
11/20/94

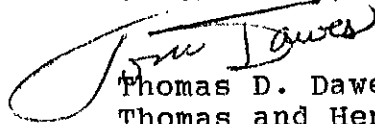
Phase I must be completed in order to discover if there will be serious opposition. On completion of Phase I we can meet again with Mr. Alderman, review progress, and assess what remains to be done at what cost.

The Becker appeal of our enlarging Lot 12D from 1.234 acres to 2.046 acres could easily cost both families \$5,000 and lead absolutely nowhere (unless that appeal is withdrawn by your father).

Is there a compelling reason for the two families not to enter into an agreement such as has been outlined to you and your father? I'd appreciate your advice in this matter.

Thank you for your attention to these matters. If you have any questions, do not hesitate to call me.

Yours truly,



Thomas D. Daves for  
Thomas and Henry

cc: Arthur H. Becker, Sr.  
Howard L. Alderman, Jr., Esquire and Stuart D. Kaplow, Esquire  
Henry T. Daves  
Timothy M. Kotroco, Deputy Zoning Commissioner

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

August 26, 1996

Howard L. Alderman, Jr., Esquire  
305 W. Chesapeake Avenue, Suite 113  
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING  
E/S of a private road off of Chippendale Road,  
367' N of the c/l of Chippendale Road  
(1406 Chippendale Road)  
8th Election District - 3rd Councilmanic District  
Henry T. Dawes, et al - Petitioners  
Case No. 95-198-SPH

Dear Mr. Alderman:

I am in receipt of your letter dated July 8, 1996 and your request for written confirmation that its accompanying attachments meets the requirements of the Order issued in the above-captioned matter.

Please be advised that after reviewing all of the documentation submitted with your letter, I find that Mr. Dawes is in compliance with the terms and conditions of the Order issued March 6, 1995 and as such, may proceed through the building permit process.

In the event you need any additional assistance in this matter, please feel free to contact me.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Stuart D. Kaplow, Esquire  
502 Baltimore Avenue, Towson, Md. 21204-4525

People's Counsel

File

BALTIMORE OFFICE  
MERCANTILE BANK & TRUST BUILDING  
2 HOPKINS PLAZA  
9TH FLOOR  
BALTIMORE, MARYLAND 21201  
410-539-3700  
TELECOPIER 410-625-9050

LAW OFFICES  
**LEVIN & GANN**  
A PROFESSIONAL ASSOCIATION  
305 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
410-321-0600  
TELECOPIER 410-296-2801

ELLIS LEVIN (1893-1960)

HOWARD L. ALDERMAN, JR.

July 8, 1996



**VIA HAND DELIVERY**

Timothy M. Kotroco, Esquire  
Deputy Zoning Commissioner for Baltimore County  
400 Washington Avenue - Room 112  
Towson, MD 21204

RE: Henry T. Dawes, *et al*  
Case No. 95-198-SPH  
Compliance with Conditions: Order dated March 6, 1995

Dear Mr. Kotroco:

I am pleased to advise you that the outstanding issues in the above-referenced matter are fast drawing to a close. You will recall that there were specific conditions contained in your order in the above-referenced case. The summary below addresses each of those conditions:

**Condition No.**

**ACTION/STATUS**

- |       |   |
|-------|---|
| 1     | The required complaint was filed, on August 11, 1995, in the Circuit Court for Baltimore County and was docketed as Case No. 03-C-95-7294. A final Order of the Circuit Court was issued December 28, 1995 vesting fee simple title (necessary for the dedication of the 40 foot right-of-way extension of Ridgemont Road) in the above-referenced Petitioners. |
| 2     | The Petitioners have executed completely the County Highway Deed, prepared by the Division of Land Acquisition; <i>see</i> the enclosed copy of a transmittal letter to Dennis Maloney, Title Examination Supervisor and the referenced deed.   |
| 4 & 5 | The record plat for Lot 12D was recorded and Petitioners have been able to apply for a building permit.   |
| 3     | Now that the deed for the extension to Ridgemont Road has been delivered to Baltimore County, the Petitioners plan to process the record plat for the remaining lots shown on the approved plan and   |



Timothy M. Kotroco, Esquire  
Deputy Zoning Commissioner for Baltimore County  
July 8, 1996  
Page 2

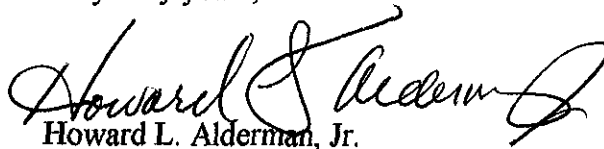
to obtain building permits either directly, or through a  
contract purchaser.

Upon your receipt and review of this letter and its enclosures, I would appreciate it if you would **respond with a written confirmation of satisfaction of conditions** so that there will be no question that the plat can be recorded and permits obtained. During this arduous process I have attempted to keep Mr. Kaplow abreast of the various actions taken by the Petitioners. I am sending a copy of this letter to him, as well as a copy of the instruments delivered to Mr. Maloney.

Should you need any additional information to enable you to prepare the confirmation letter requested, please contact me at your earliest possible convenience. Also, for your reference, I have enclosed a copy of your order in the above-referenced case.

Thank you for your patience and cooperation in this matter.

Very truly yours,

  
Howard L. Alderman, Jr.

HLA/gk  
Enclosures

c: Mr. and Mrs. Thomas D. Dawes  
Stuart D. Kaplow, Esquire

BALTIMORE OFFICE  
MERCANTILE BANK & TRUST BUILDING  
2 HOPKINS PLAZA  
9TH FLOOR  
BALTIMORE, MARYLAND 21201  
410-539-3700  
TELECOPIER 410-625-9050

LAW OFFICES  
**LEVIN & GANN**  
A PROFESSIONAL ASSOCIATION  
305 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
410-321-0600  
TELECOPIER 410-296-2801

ELLIS LEVIN (1893-1960)

**COPY**

HOWARD L. ALDERMAN, JR.

July 8, 1996

**VIA HAND DELIVERY**

Dennis F. Maloney, Esquire  
Division of Land Acquisition  
Department of Permits & Development Management  
111 West Chesapeake Avenue - 3rd Floor  
Towson, Maryland 21204

RE: Ridgmont West - Your File No. RW 96-094  
ROW for Ridgmont Road Extension; S/W Drainage  
Easements & Forest Buffer Easement

Dear Dennis:

I am pleased to provide you the originals, executed by the fee simple owners, of the following documents:

1. County Highway Deed, dated July 8, 1996;
2. Deed and Agreement - Drainage & Utility Easement, dated July 8, 1996; and
3. Declaration of Protective Covenants, Conditions and Restrictions, dated July 8, 1996.

It is my understanding that Henry Lewis, Esquire, will be providing the Certificate of Title to your office this week with respect to the subject property. I have spoken with Martha Delea, at BGE, and confirmation for crossing the BGE easement is expected to be communicated to you this week. In the event that you need any additional information to enable the recordation of these instruments, please contact me immediately.

Very truly yours,

  
Howard L. Alderman, Jr.

HLA/gk  
Enclosures

c: Mr. and Mrs. Thomas D. Dawes  
c (w/encl.): Timothy M. Kotroco, Deputy Zoning Commissioner  
Stuart D. Kaplow, Esquire

**COPY**

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
E/S of a private road off of		
Chippendale Road, 367'N of the	*	DEPUTY ZONING
c/l of Chippendale Road		
(1406 Chippendale Road)	*	COMMISSIONER OF
8th Election District		
3rd Councilmanic District	*	BALTIMORE COUNTY
Henry T. Dawes, et al.,	*	Case No. 95-198-SPH
Petitioners		
* * * * *		

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing filed on behalf of the owners of the subject property, Henry T. Dawes, by Thomas D. Dawes, Attorney-in-Fact, and Thomas D. Dawes. The Petitioners seek a further amendment to the Order of this Deputy Zoning Commissioner rendered in case no. 94-105-SPH, dated December 14, 1993 as that Order was first amended by an Amended Order dated December 21, 1993. The amendment requested in this case is to permit the immediate recordation of Lot 12D, Ridgemont West as shown on the Partial Development Plan, Plat Two, Section Two of Ridgemont West and approval for application and issuance of a building permit therefor, and a further extension of time for Petitioners to file an action in the Circuit Court for Baltimore County regarding issues of title relative to the proposed extension of Ridgemont Road, in accordance with Petitioners' Exhibit 1. Appearing on behalf of the Petitioners, who are represented by Howard L. Alderman, Jr., Esquire, was Randolph W. Brinton. Appearing as a Protestant in the matter was Stuart D. Kaplow, Esquire on behalf of an adjoining property owner, Arthur Becker. Testimony indicated that the subject property, Lot 12D, as shown on Petitioners'

Exhibit 1 is located south and outside of an area of land for which fee simple title is unclear, and through which the bed of the extension for Ridgemont Road is to be constructed. The Petitioners wish to exclude from the effect of the Order in Case No. 94-105-SPH, Lot 12D such that a record plat therefor may be recorded among the Land Records of Baltimore County immediately and Petitioners or their assigns can apply for and receive a building permit for said lot. The concern of the Protestants as articulated by Mr. Kaplow, is that permitting the recordation of Lot 12D without conditions would potentially remove a substantial portion of incentive from the Petitioners to resolve issues of title which preclude the dedication of the Right of Way for the Ridgemont Road extension. The Petitioners and counsel for the Protestants availed themselves of the opportunity to attempt to reconcile and reach a compromise with respect to the desires of each. Counsel for Petitioners was permitted to proffer, in detail, the compromise as agreed.

After due consideration of the compromise proffered it appears that the relief requested in the Special Hearing should be granted, subject to the restrictions set forth hereinafter. It has been established previously and reestablished at this hearing that the requirements from which the Petitioners seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to a public health, safety and general welfare, provided that the below conditions are incorporated.

Pursuant to the advertisement, posting of the property, and

public hearing on the Petition held, and for the reasons given above this Special Hearing should be granted as conditioned herein.

THEREFORE IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 6<sup>th</sup> day of March, 1995 that the Petition for Special Hearing to approve the Amended Partial Final Development Plan and to permit the recordation of Lot No. 12D only as shown on Petitioners' Exhibit 1 and to permit Petitioners and their successors or assigns to apply for and receive a building permit therefore is hereby granted subject to the following conditions:

1. Petitioners shall file a Complaint in the Circuit Court for Baltimore County, to resolve the fee simple title issues necessary for the complete dedication of the forty foot wide right of way to Baltimore County for the extension of Ridgemont Road as shown on Petitioners' Exhibit 1 and Petitioners shall use best efforts to diligently pursue to conclusion said action.

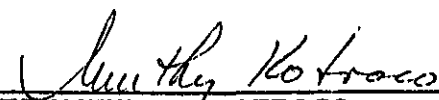
2. At such time as fee simple title of the land necessary for dedication of the extension of Ridgemont Road as shown on Petitioners' Exhibit 1 is vested in Petitioners, the Petitioners shall immediately dedicate the said forty foot right of way, together with a ten foot revertible slope easement to Baltimore County at no cost to the County.

3. Until such time as the forty foot wide right of way has been dedicated to Baltimore County for the extension of Ridgemont Road as shown on Petitioners' Exhibit 1, no building permits shall be issued on Lots 14A, 4C and 3C as shown on Petitioners' Exhibit

1. Petitioners and Protestants shall dismiss, with prejudice, immediately any and all pending appeals that one has against any development or zoning approvals of the other. Furthermore, Petitioners agree not to further appeal the decision of the County Board of Appeals for Baltimore County in Case No. 94-256-SPH.

4. Petitioners shall be permitted to record a record plat among the Land Records of Baltimore County for Lot 12D only.

5. Upon the filing of the Circuit Court action as required by this Order, Petitioners, their successors and/or assigns may immediately apply for a building permit for Lot 12D.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

**COPY**

Code: 05--RW-96-094-1  
J.O. "0"  
Item 1 (H)  
Election District: 8c3

COUNTY HIGHWAY DEED

THIS DEED, Made this 8th day of July, in the year 1996, by THOMAS D. DAWES and KATHERINE K. DAWES, his wife; and DR. DEBORAH H. DAWES, HENRY T. DAWES, JR., and SANDRA D. DAWES, the Personal Representatives of the Estate of HENRY T. DAWES, SR., of Baltimore County, State of Maryland, Grantors.

WITNESSETH, that in consideration of the sum of Five Dollars (\$5.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the said Grantors do grant and convey unto BALTIMORE COUNTY, MARYLAND, a body corporate and politic, its successors and assigns, in fee simple, for public highway and any other governmental purposes, all that lot of ground situate, lying and being in the Eighth Election District of Baltimore County, State of Maryland, and described as follows, that is to say:

BEING a parcel of land of irregular dimensions across the property of the Grantors to be used for the extension of Ridgemont Road, said parcel of land containing .472 acre, more or less, as shown indicated "40' R/W EXTENSION OF RIDGEMONT ROAD," which is shown on the attached Baltimore County Bureau of Land Acquisition Drawing No. 96-094-1, and is also shown on a plat entitled "REVISED LOT 12D RIDGEMONT WEST" recorded or intended to be recorded in the land records of Baltimore County.

TOGETHER with the right to create, use, and maintain revertible slope easements on the area of the land containing \_\_\_\_\_ acre (\_\_\_\_\_ sq. ft.), more or less, as shown indicated "REVERTIBLE SLOPE EASEMENT" on the aforesaid Drawing No. RW 96-094-1, which is attached hereto and made a part hereof; such slopes are necessary to retain and support the highway and/or adjacent property; it being agreed between the parties hereto, however, that at such time as the contour of the land over which this slope easement is granted is changed so that the easement required for slopes is no longer necessary to retain, support or protect the highway construction within the area conveyed in fee simple, then said easement for slopes shall cease to exist.

EXCEPTING AND RESERVING, however, unto the Grantors, a 20-foot wide easement for a private sewage connection across Ridgemont Road for the benefit of a future lot to be known as Lot 4C as shown and indicated as "20' WIDE EASEMENT FOR SEWAGE CONNECTION CROSSING FOR FUTURE LOT" on the aforesaid Drawing No. RW 96-094-1.

THE private sewage connection easement area shall be maintained by the Grantors herein, or their successors and assigns, and they shall bear the cost of installation of sewage lines, as well as any and all future maintenance obligations. Installation of the lines shall be pursuant to all Baltimore County codes, regulations, and/or permit requirements. These maintenance obligations shall continue in perpetuity and be binding on the Grantors and their successors and assigns, and shall in no way obligate Baltimore County for any of the costs of installing, replacing, or maintaining private sewage lines located within the easement area.

IN consideration of Baltimore County, Maryland agreeing to the private sewage easement heretofore described in RIDGEMONT ROAD and the acceptance of title for Ridgemont Road, as described herein, the Grantors and their successors and assigns save, defend, indemnify, and hold harmless Baltimore

County, Maryland, and any and all of its duly authorized agencies having direct and necessary jurisdiction and authority concerning public facilities against any and all claims, losses, penalties, fines, forfeitures, reasonable attorney's fees, judgments, amounts paid in settlement and related litigation costs, fees, and expenses, which result from any actions taken by the Grantors, their successors and assigns, in their exercise and use of the private sewage easement area and their utilization of the portion of Ridgemont Road at any and all times prior to the construction and completion of the roadbed as specified in the Public Works Agreement pertaining thereto.

BEING also a portion of the property described in a Confirmatory Deed dated July 13, 1987, and recorded in the land records of Baltimore County in Liber 7643, folio 151, from Henry T. Dawes and Eleanor French Dawes, his wife, and Thomas D. Dawes and Katherine K. Dawes, his wife, Grantors, unto Henry T. Dawes and Eleanor French Dawes, his wife, and Thomas D. Dawes and Katherine H. Dawes, his wife, Grantees. The said Eleanor French Dawes departed this life on October 4, 1994. The said Henry T. Dawes departed this life on June 13, 1995. See Estate No. 86538 in the Register of Wills Office of Baltimore County.

BEING also portions of the property described in a deed dated August 16, 1991, and recorded in the land records of Baltimore County in Liber 8894, folio 538, from Thomas D. Dawes and Kathleen K. Dawes to Thomas D. Dawes, Trustee.

BEING also a portion of that property that became vested in the Grantors herein by virtue of an Order dated December 28, 1995, signed by Judge Alfred L. Brennan of the Circuit Court for Baltimore County, pursuant to a Complaint for Adverse Possession filed by the Grantors herein, said case being docketed as Case No. 03-C-95-7294.

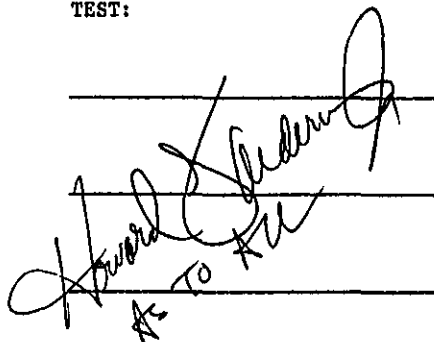
TOGETHER with the appurtenances and advantages to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above granted property unto Baltimore County, Maryland, a body corporate and politic, its successors and assigns, in fee simple, subject to the conditions stated herein, for public highway and any other governmental purposes.

AND the said Grantors hereby covenant that they have not done or suffered to be done any act, matter, or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property granted; and that they will execute such further assurances of the same as may be requisite.

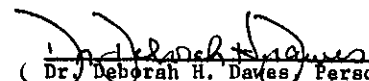
AS WITNESS the due execution hereof by the aforementioned Grantors.

TEST:

  
\_\_\_\_\_  
Howard C. Gaudin  
Attorney for Grantors

  
\_\_\_\_\_  
Thomas D. Dawes (SEAL)

  
\_\_\_\_\_  
Katherine K. Dawes (SEAL)

  
\_\_\_\_\_  
Dr. Deborah H. Dawes Personal  
Representative of the Estate of  
Henry T. Dawes, Sr.



*Handwritten signature*  
18 to me

Henry T. Dawes, Jr. (SEAL)  
Henry T. Dawes, Jr., Personal  
Representative of the Estate of  
Henry T. Dawes, Sr.

Sandra D. Dawes (SEAL)  
Sandra D. Dawes, Personal  
Representative of the Estate of  
Henry T. Dawes, Sr.

STATE OF Maryland, CITY/COUNTY OF Baltimore, to wit:

I HEREBY CERTIFY, that on this 8th day of July, in the year 1996, before me, the subscriber, a Notary Public, personally appeared THOMAS D. DAWES and KATHERINE K. DAWES, and they acknowledged the foregoing Deed to be their act, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS My Hand and Notarial Seal.

Clare A. Held  
Notary Public

My Commission Expires: 5-1-2000

CLARE A. HELD  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires February 1, 2000

STATE OF Maryland, CITY/COUNTY OF Baltimore, to wit:

I HEREBY CERTIFY, that on this 8th day of July, in the year 1996, before me, the subscriber, a Notary Public, personally appeared DR. DEBORAH H. DAWES, Personal Representative of the Estate of Henry T. Dawes, Sr., and she acknowledged the foregoing Deed to be her act as said personal representative, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS My Hand and Notarial Seal.

Clare A. Held  
Notary Public

My Commission Expires: 2-1-2000

CLARE A. HELD  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires February 1, 2000

STATE OF Maryland, CITY/COUNTY OF Baltimore, to wit:

I HEREBY CERTIFY, that on this 8th day of July, in the year 1996, before me, the subscriber, a Notary Public, personally appeared HENRY T. DAWES, JR, Personal Representative of the Estate of Henry T. Dawes, Sr., and he acknowledged the foregoing Deed to be his act as said personal representative, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS My Hand and Notarial Seal.

Clare A. Held  
Notary Public

My Commission Expires: 2-1-2000

CLARE A. HELD  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires February 1, 2000

STATE OF Maryland, CITY/COUNTY OF Baltimore, to wit:

I HEREBY CERTIFY, that on this 8th day of July, in the year 1996, before me, the subscriber, a Notary Public, personally appeared SANDRA D. DAWES, Personal Representative of the Estate of Henry T. Dawes, Sr., and she acknowledged the foregoing Deed to be her act as said personal representative, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS My Hand and Notarial Seal.

Clare A. Held  
Notary Public

My Commission Expires: 2-1-2000

CLARE A. HELD  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires February 1, 2000

Reviewed for form and legal sufficiency  
and approved for execution this day  
of , 1996.

\_\_\_\_\_  
Assistant County Attorney

APPROVED and ACCEPTED this  
day of , 1996.

ATTEST:

BALTIMORE COUNTY, MARYLAND

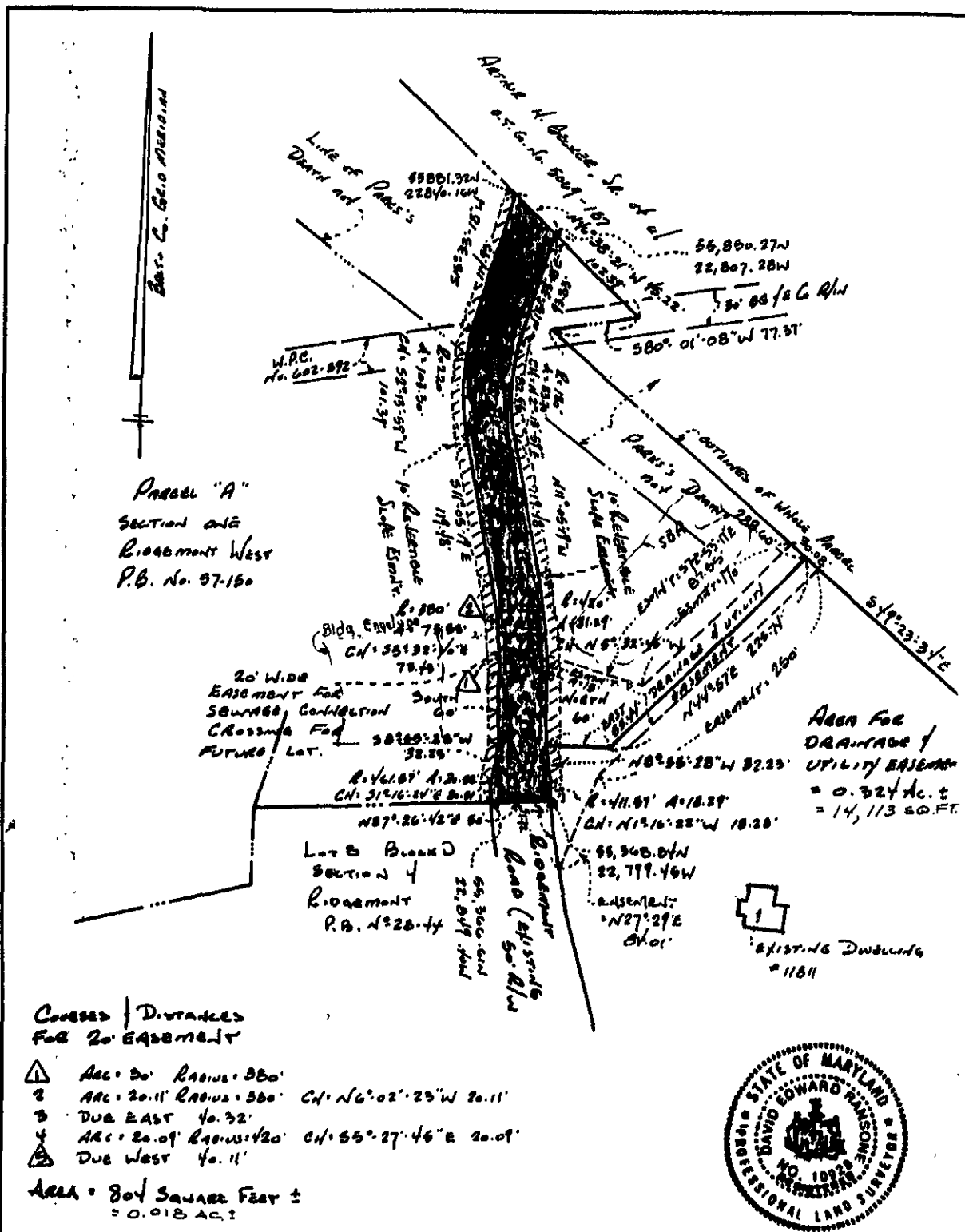
By: \_\_\_\_\_  
Merreen E. Kelly  
County Administrative Officer

This is to certify that the within instrument was prepared under the  
supervision of the Title Examination Supervisor who is an attorney admitted  
to practice before the Court of Appeals of Maryland.

\_\_\_\_\_  
Title Examination Supervisor

6/10/96

DFM:cm  
Index: \_\_\_\_\_  
Account No. \_\_\_\_\_



# EXTENSION OF RIDGMENT ROAD

BALTIMORE COUNTY		DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT BUREAU OF LAND ACQUISITION	
DISTRICT NO. <b>B C 3</b>	POSITION SHEET NO.	FEDERAL PROJECT NO.	
	CONSTRUCTION PLAN NO.	MARYLAND PROJECT NO.	
APPROVED <i>[Signature]</i> DIRECTOR OF PUBLIC WORKS	<input type="checkbox"/> AREA TO BE ACQUIRED <input checked="" type="checkbox"/> REVERTIBLE SLOPE EASEMENT <input checked="" type="checkbox"/> TEMPORARY CONSTRUCTION AREA	<input checked="" type="checkbox"/> EXISTING COUNTY R/W <input checked="" type="checkbox"/> AREA TO BE RELEASED <input checked="" type="checkbox"/> TEMPORARY SLOPE EASEMENT	DATE <i>6/01/96</i> REG. NO. <i>10928</i>
DATE <i>6/21/96</i>	APPROVED <i>[Signature]</i> DIVISION OF REAL ESTATE	ITEM NO.	SHEET <i>1</i> OF <i>1</i>
DATE <i>6/21/96</i>	APPROVED <i>[Signature]</i> SUPERVISOR OF GRADING	RECORDED	REVISIONS
		DRAWN BY PLAT CHECKED AREA CHECKED <i>MRS</i>	SCALE 1" = 100' B.C. JOB ORDER NO. "0"

**COPY**

RW 96-094-1

J.O. "0"

Item 1 (U)

Election District: 8c3

THIS DEED and AGREEMENT, Made this *8th* day of *July*, in the year 1996, between THOMAS D. DAWES and KATHERINE K. DAWES, his wife; and DR. DEBORAH H. DAWES, HENRY T. DAWES, JR., and SANDRA D. DAWES, the Personal Representatives of the Estate of HENRY T. DAWES, SR., of Baltimore County, State of Maryland, parties of the first part; and BALTIMORE COUNTY, MARYLAND, a body corporate and politic, party of the second part.

WHEREAS, the party of the second part desires to construct and maintain sewers, drains, water pipes, and other municipal utilities and services in, on, through, and across the land hereinafter described, and the parties of the first part are willing to grant such right.

NOW, THEREFORE, in consideration of the premises and the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, the said parties of the first part hereby grant and convey unto Baltimore County, Maryland, a body corporate and politic, its successors and assigns, the right to lay, construct, and maintain sewers, drains, water pipes, and other municipal utilities and services in, on, through, and across the land of the parties of the first part, situate in Baltimore County, State of Maryland, said sewers, drains, water pipes, and other municipal utilities and services to be laid in the easement which is described as follows:

Situate in the Eighth Election District of Baltimore County.

BEING an easement of irregular dimensions across the property of the parties of the first part, said easement containing .324 acre (14,113 sq. ft.), more or less, as shown and indicated "DRAINAGE & UTILITY EASEMENT" on Baltimore County Bureau of Land Acquisition Drawing No. 96-094-1, which is attached hereto and made a part hereof.

BEING also a portion of the property described in a Confirmatory Deed dated July 13, 1987 and recorded in the land records of Baltimore County in Liber 7643, folio 151, from Henry T. Dawes and Eleanor French Dawes, his

wife, and Thomas D. Dawes and Katherine K. Dawes, his wife, Grantors, unto Henry T. Dawes and Eleanor French Dawes, his wife, and Thomas D. Dawes and Katherine H. Dawes, his wife, Grantees. The said Eleanor French Dawes departed this life on October 4, 1994. The said Henry T. Dawes departed this life on June 13, 1995. See Estate No. 86538 in the Register of Wills Office of Baltimore County.

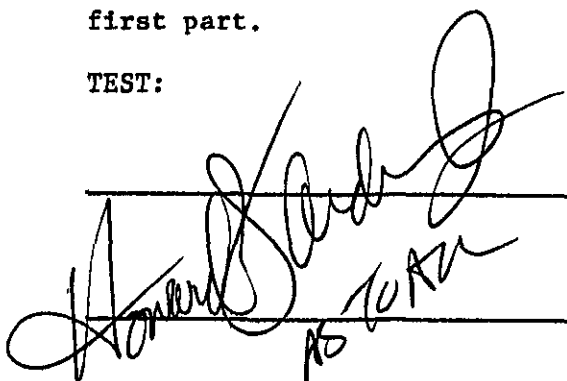
Being also portions of the property described in a deed dated August 16, 1991, and recorded in the land records of Baltimore County in Liber 8894, page 538, from Thomas D. Dawes and Kathleen K. Dawes to Thomas D. Dawes, Trustee.

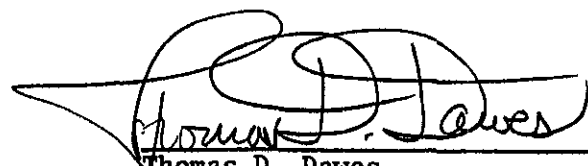
BEING also a portion of that property that became vested in the Grantors herein by virtue of an Order dated December 28, 1995, signed by Judge Alfred L. Brennan of the Circuit Court for Baltimore County, pursuant to a Complaint for Adverse Possession filed by the Grantors herein, said case being docketed as Case No. 03-C-95-7294.

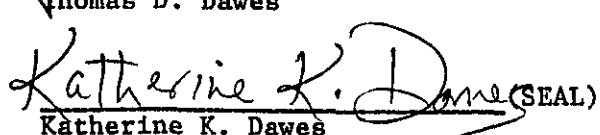
AND the parties of the first part do hereby agree that Baltimore County, Maryland, its successors and assigns, shall have the right and privilege of entering upon the aforesaid land, whenever it may be necessary, to make openings and excavations, and to lay, construct, and maintain said municipal utilities and appurtenances, provided, however, that the ground hereinabove described shall be restored and left in good condition; and it is further agreed that no buildings or similar structures of any kind shall be erected in, on, or over the said easement by the parties of the first part, their personal representatives, successors or assigns; nor shall the existing grade be changed without prior approval of the Baltimore County Department of Public Works.

AS WITNESS the due execution hereof by the aforementioned parties of the first part.

TEST:

  
\_\_\_\_\_  
Henry T. Dawes

  
\_\_\_\_\_  
Thomas D. Dawes (SEAL)

  
\_\_\_\_\_  
Katherine K. Dawes (SEAL)

*[Handwritten signatures and initials]*  
Dr. Deborah H. Dawes  
to AC

Dr. Deborah H. Dawes (SEAL)  
Dr. Deborah H. Dawes, Personal  
Representative of the Estate of  
Henry T. Dawes, Sr.

Henry T. Dawes, Jr. (SEAL)  
Henry T. Dawes, Jr., Personal  
Representative of the Estate of  
Henry T. Dawes, Sr.

Sandra D. Dawes (SEAL)  
Sandra D. Dawes, Personal  
Representative of the Estate of  
Henry T. Dawes, Sr.

STATE OF Maryland, CITY/COUNTY OF Baltimore, to wit:

I HEREBY CERTIFY, that on this 5th day of July, in the year 1996, before me, the subscriber, a Notary Public, personally appeared THOMAS D. DAWES and KATHERINE K. DAWES, and they acknowledged the foregoing Deed to be their act, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS My Hand and Notarial Seal.

Clare A. Held  
Notary Public  
CLARE A. HELD  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires February 1, 2000

My Commission Expires: 2-1-2000

STATE OF Maryland, CITY/COUNTY OF Baltimore, to wit:

I HEREBY CERTIFY, that on this 5th day of July, in the year 1996, before me, the subscriber, a Notary Public, personally appeared DR. DEBORAH H. DAWES, Personal Representative of the Estate of Henry T. Dawes, Sr., and she acknowledged the foregoing Deed to be her act as said personal representative, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS My Hand and Notarial Seal.

Clare A. Held  
Notary Public  
CLARE A. HELD  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires February 1, 2000

My Commission Expires: 2-1-2000

STATE OF Maryland, CITY/COUNTY OF Baltimore, to wit:

I HEREBY CERTIFY, that on this 8th day of July, in the year 1996, before me, the subscriber, a Notary Public, personally appeared HENRY T. DAWES, JR, Personal Representative of the Estate of Henry T. Dawes, Sr., and he acknowledged the foregoing Deed to be his act as said personal representative, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS My Hand and Notarial Seal.

Clare A. Held  
Notary Public

My Commission Expires: 2-1-2000

CLARE A. HELD  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires February 1, 2000

STATE OF Maryland, CITY/COUNTY OF Baltimore, to wit:

I HEREBY CERTIFY, that on this 8th day of July, in the year 1996, before me, the subscriber, a Notary Public, personally appeared SANDRA D. DAWES, Personal Representative of the Estate of Henry T. Dawes, Sr., and she acknowledged the foregoing Deed to be her act as said personal representative, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS My Hand and Notarial Seal.

Clare A. Held  
Notary Public

My Commission Expires: 2-1-2000

CLARE A. HELD  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires February 1, 2000

This is to certify that the within instrument was prepared under the supervision of the Title Examination Supervisor who is an attorney admitted to practice before the Court of Appeals of Maryland.

\_\_\_\_\_  
Title Examination Supervisor

APPROVED as to form and legal sufficiency

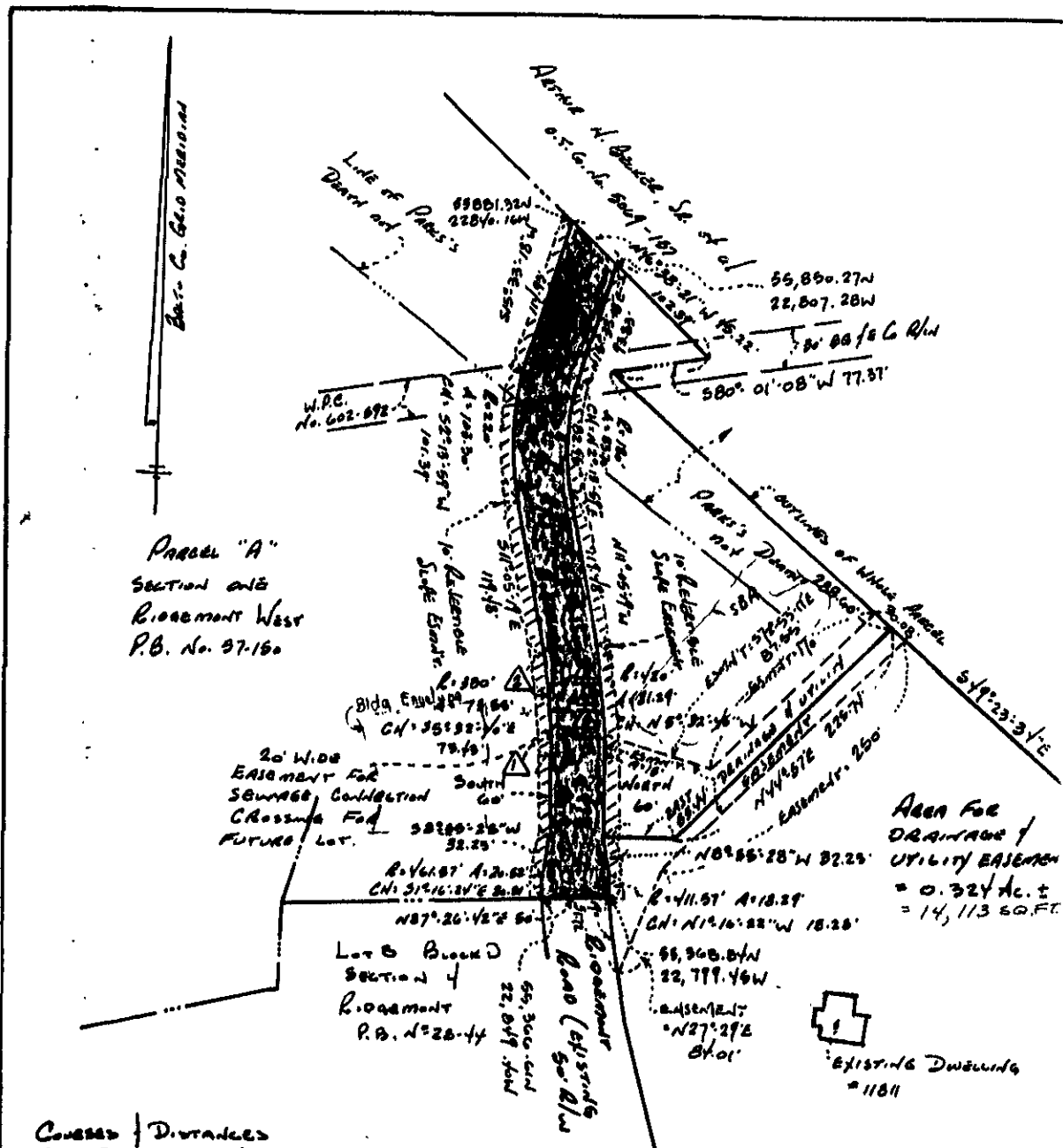
this      day of                      , 1996.

\_\_\_\_\_  
Assistant County Attorney

6/18/96

DFM:cmm

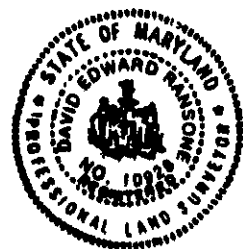
Index: \_\_\_\_\_



Course / Distances  
For 20' EASEMENT

- 1 Arc: 30' Radius: 300'
- 2 Arc: 20.11' Radius: 300' CH: N6°02'23\"W 20.11'
- 3 Due East 40.32'
- 4 Arc: 20.09' Radius: 420' CH: S5°27'46\"E 20.09'
- 5 Due West 40.11'

Area = 804 SQUARE FEET ±  
= 0.018 AC. ±



### Extension of Rosemont Road

BALTIMORE COUNTY		DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT		BUREAU OF LAND ACQUISITION	
DISTRICT NO. 0 C 3		POSITION SHEET NO.		FEDERAL PROJECT NO.	
		CONSTRUCTION PLAN NO.		MARYLAND PROJECT NO.	
APPROVED <i>[Signature]</i> DIRECTOR OF PUBLIC WORKS	<input type="checkbox"/> AREA TO BE ACQUIRED	<input checked="" type="checkbox"/> EXISTING COUNTY R/W	DATE 6/01/96 RES. NO. 10926		
DATE 6/01/96	<input checked="" type="checkbox"/> REVERTIBLE SLOPE EASEMENT	<input checked="" type="checkbox"/> AREA TO BE RELEASED	SHEET 1 OF 1		
APPROVED <i>[Signature]</i> DIVISION OF REAL ESTATE	<input checked="" type="checkbox"/> TEMPORARY CONSTRUCTION AREA	<input checked="" type="checkbox"/> TEMPORARY SLOPE EASEMENT	REVISIONS		
DATE 6-4-96	ITEM NO.	RECORDED	DRAWN BY	SCALE 1" = 100'	
APPROVED <i>[Signature]</i> SUPERVISOR OF DRAFTING			PLAT CHECKED	B.C. JOB ORDER NO. 0	
			AREA CHECKED		



# COPY

RW 96-094-2  
J.O. "0"  
Item 1 (FB)  
Election District: 8c3

## DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS

THIS DECLARATION, made this *8th* day of *July*, 1996, by THOMAS D. DAWES and KATHERINE K. DAWES, his wife; and DR. DEBORAH H. DAWES, HENRY T. DAWES, JR., and SANDRA D. DAWES, the Personal Representatives of the Estate of HENRY T. DAWES, SR., of Baltimore County, Maryland (the "Declarants"); and BALTIMORE COUNTY, MARYLAND, a body corporate and politic (the "County").

WHEREAS, the Declarants are the owners in fee simple of all that property situate and lying on the east side of RIDGEMONT ROAD in the Eighth Election District of Baltimore County, Maryland, and more particularly described in a Deed dated July 13, 1987, and recorded among the land records of Baltimore County in Liber 7643, folio 151, from Henry T. Dawes and Eleanor French Dawes, his wife, and Thomas D. Dawes and Katherine K. Dawes, his wife, to Henry T. Dawes and Eleanor French Dawes, his wife, and Thomas D. Dawes and Katherine K. Dawes, his wife (the "Property"). The said Eleanor French Dawes departed this life on October 4, 1994. The said Henry T. Dawes departed this life on June 13, 1995. See Estate No. 86538 in the Register of Wills Office of Baltimore County; and

BEING also portions of the property described in a deed dated August 16, 1991, and recorded in the land records of Baltimore County in Liber 8894, page 538, from Thomas D. Dawes and Katherine K. Dawes to Thomas D. Dawes, Trustee.

BEING a portion of that property that became vested in the Grantors herein by virtue of an Order dated December 28, 1995, signed by Judge Alfred L. Brennan of the Circuit Court for Baltimore County, pursuant to a Complaint for Adverse Possession filed by the Grantors herein, said case being docketed as Case No. 03-C-95-7294.

WHEREAS, in order to protect the environmental quality of the area of the Property, said area containing 0.9141 acre, more or less, as designated and shown as "FOREST BUFFER EASEMENT" (the "Forest Buffer") on Baltimore County Bureau of Land Acquisition Drawing No. RW 96-094-2, which is attached hereto and made a part hereof. The Declarants desire to protect said Forest Buffer by imposing covenants, conditions and restrictions which will bind the Lots and the present and future owners thereof. The County shall have the legal right to enforce the covenants, conditions and restrictions as set forth herein together with the enforcement rights referenced in Section 4.

NOW, THEREFORE, in consideration of the benefits derived by the Declarants and their successors in interest, the said Declarants, for themselves, their successors and assigns, do hereby agree as follows:

1. a. Existing vegetation within the Forest Buffer shall not be disturbed, except as provided pursuant to Baltimore County Code, 1988, as amended (hereafter referred to as "the Code"), §14-342;

b. Soil disturbance shall not take place within the Forest Buffer by grading, stripping of topsoil, plowing, cultivating, or other practices;

c. Filling or dumping shall not occur within the Forest Buffer;

d. Except as permitted by the Baltimore County Department of Environmental Protection and Resource Management ("DEPRM"), the Forest Buffer shall not be drained by ditching, underdrains, or other drainage systems;

e. Pesticides shall not be stored, used or applied within the Forest Buffer, except for the spot spraying of noxious weeds consistent with the recommendations of the University of Maryland Cooperative Extension Service;

f. Animals shall not be housed, grazed, or otherwise maintained within the Forest Buffer;

g. Motorized vehicles shall not be stored or operated within the Forest Buffer, except for maintenance and emergency use approved by DEPRM;

h. Materials shall not be stored within the Forest Buffer.

2. Waiver by DEPRM. The aforementioned covenants, conditions and restrictions may be waived or modified by variance only by the Baltimore County Department of Environmental Protection and Resource Management as provided in §14-334 of the Code.

3. Easement for Access. Declarants hereby grant to Baltimore County, Maryland, an easement of access to the Forest Buffer on, over, and across RIDGEMONT ROAD, as shown and indicated "ACCESS EASEMENT" on Baltimore County Bureau of Land Acquisition Drawing No. RW, which is attached hereto and made a part hereof), for the limited purposes of inspecting and maintaining the Forest Buffer and providing for the abatement and correction of water pollution, erosion, and sedimentation of stream channels, wetlands, and flood plains, and for no other use or purpose.

4. Miscellaneous.

a. Enforcement shall be pursuant to the Enforcement Procedures of §14-345 of the Code. Invalidation of any one or more of these covenants by judgment or court order shall in no way affect any other provisions, which shall remain in full force and effect.

b. Any failure by any party entitled to enforce any of the covenants, conditions and restrictions herein contained, shall in no event be deemed a waiver of the right to do so thereafter as to the same breach, or as to one occurring prior to, or subsequent thereto.

c. These covenants shall run with and be binding upon the Property and shall inure to the benefit of and be binding upon the Declarants, themselves successors and assigns. These covenants and the rights and liabilities arising hereunder are governed by and shall be determined in accordance with the laws of the State of Maryland.

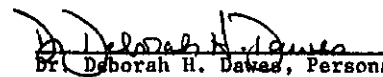
IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.


ATTEST/WITNESS


DECLARANTS:

 (SEAL)  
Thomas D. Dawes

 (SEAL)  
Katherine K. Dawes

 (SEAL)  
Dr. Deborah H. Dawes, Personal  
Representative of the Estate of  
Henry T. Dawes, Sr.

 (SEAL)  
Henry T. Dawes, Jr., Personal  
Representative of the Estate of  
Henry T. Dawes, Sr.

 (SEAL)  
Sandra D. Dawes, Personal  
Representative of the Estate of  
Henry T. Dawes, Sr.

STATE OF Maryland, CITY/COUNTY OF Baltimore, to wit:

I HEREBY CERTIFY, that on this 8th day of July, in the year 1996, before me, the subscriber, a Notary Public, personally appeared THOMAS D. DAWES and KATHERINE K. DAWES, and they acknowledged the foregoing Deed to be their act, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS My Hand and Notarial Seal.

Clare A. Held  
Notary Public

My Commission Expires: 2-1-2000

CLARE A. HELD  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires February 1, 2000

STATE OF Maryland, CITY/COUNTY OF Baltimore, to wit:

I HEREBY CERTIFY, that on this 8th day of July, in the year 1996, before me, the subscriber, a Notary Public, personally appeared DR. DEBORAH H. DAWES, Personal Representative of the Estate of Henry T. Dawes, Sr., and she acknowledged the foregoing Deed to be her act as said personal representative, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS My Hand and Notarial Seal.

Clare A. Held  
Notary Public  
CLARE A. HELD  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires February 1, 2000

My Commission Expires: 2-1-2000

STATE OF Maryland, CITY/COUNTY OF Baltimore, to wit:

I HEREBY CERTIFY, that on this 8th day of July, in the year 1996, before me, the subscriber, a Notary Public, personally appeared HENRY T. DAWES, JR, Personal Representative of the Estate of Henry T. Dawes, Sr., and he acknowledged the foregoing Deed to be his act as said personal representative, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS My Hand and Notarial Seal.

Clare A. Held  
Notary Public  
CLARE A. HELD  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires February 1, 2000

My Commission Expires: 2-1-2000

STATE OF Maryland, CITY/COUNTY OF Baltimore, to wit:

I HEREBY CERTIFY, that on this 8th day of July, in the year 1996, before me, the subscriber, a Notary Public, personally appeared SANDRA D. DAWES, Personal Representative of the Estate of Henry T. Dawes, Sr., and she acknowledged the foregoing Deed to be her act as said personal representative, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS My Hand and Notarial Seal.

Clare A. Held  
Notary Public

My Commission Expires: 2-1-2000

CLARE A. HELD  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires February 1, 2000

APPROVED:

Department of Environmental  
Protection and Resource Management

Approved as to form and legal sufficiency

this      day of                      , 1996.

\_\_\_\_\_  
Assistant County Attorney

This is to certify that the within instrument was prepared under the supervision of the Title Examination Supervisor who is an attorney admitted to practice before the Court of Appeals of Maryland.

\_\_\_\_\_  
Title Examination Supervisor

6/20/96

DFM:cmm

Index: \_\_\_\_\_



BALTIMORE OFFICE  
MERCANTILE BANK & TRUST BUILDING  
2 HOPKINS PLAZA  
9TH FLOOR  
BALTIMORE, MARYLAND 21201  
410-539-3700  
TELECOPIER 410-625-9050

LAW OFFICES  
**LEVIN & GANN**  
A PROFESSIONAL ASSOCIATION  
305 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
410-321-0600  
TELECOPIER 410-296-2801

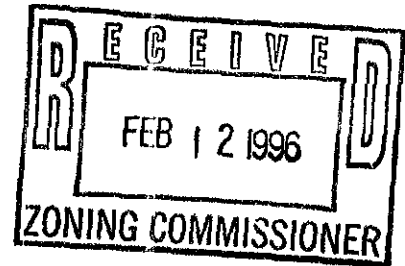
ELLIS LEVIN (1893-1960)

**COPY**

HOWARD L. ALDERMAN, JR.

February 7, 1996

Shirley Murphy, Chief, Bureau of Land Acquisition  
Department of Permits and Development Management  
111 West Chesapeake Avenue  
Third Floor  
Towson, Maryland 21204



RE: Ridgmont West  
Right-of-Way for Extension of Ridgmont Road  
Complaint for Quiet Title/Adverse Possession  
Circuit Court for Baltimore County Case No. 03-C-95-7294

Dear Ms. Murphy:

As you are aware, we represent the Dawes family in connection with their development of the property known as Ridgmont West. To refresh your memory, the development has been the subject of numerous hearings both by the Zoning Commissioner and at the CRG level. You will recall that our clients were required to dedicate a forty foot wide right-of-way as a future extension of the existing Ridgmont Road. The obligation of our clients was dedication only and did not require any construction. Your office has identified previously the fact that the Dawes family apparently did not have a good title to a portion of the property through which the proposed right-of-way will run.

For your reference I have enclosed herewith a copy of a record plat pertaining to revised lot 12D of Ridgmont West. I have outlined the area in yellow which represents the extension of future Ridgmont Road. I have also outlined in light blue the approximate area that was the subject of a complaint for Quiet Title/Adverse Possession. Additionally, I have enclosed a copy of a Line whereby a Certified Meets and Bound Description of the area which was the subject of the above-referenced action was considered by and ruled on the Circuit Court for Baltimore County. Title to the subject area has been vested in the Dawes family, Katherine Dawes, individually, and Randolph W. Brinton. You should also be advised that the Baltimore Gas & Electric Company has a right of easement for electrical transmission lines through the subject property as shown on the enclosed. After completing the Publication Notice required by the Circuit Court, we filed a Motion for Order of Default as no Defendant entered their appearance or otherwise participated as a party-defendant in the subject case. I have enclosed for your reference an Order dated October 27, 1995 entering an Order of Default against the Defendants in favor of the Dawes family, et al.

Shirley Murphy, Chief Bureau of Land Acquisition  
February 7, 1996  
Page 2

On December 28, 1995 a Motion for Judgment on Order of Default was filed and on that same date the Honorable Alfred L. Brennan, Jr. passed an Order awarding judgment for Plaintiffs against Defendants; a copy of that Order is enclosed for your reference. The effect of the two Orders was to quiet in favor of Plaintiffs the property which was the subject of the Complaint.

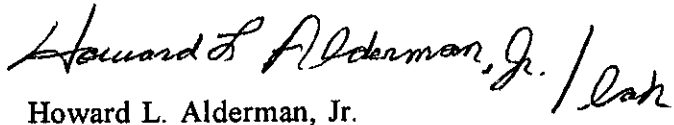
Since the Order of Judgment was entered on December 28, 1995, no appeal or other pleading has been filed in this case. All appeal times having expired without further papers being filed, title has been absolutely quieted in the Plaintiffs in the above-referenced case.

Therefore, pursuant to previous Orders of the Deputy Zoning Commissioner for Baltimore County, our clients are required to execute a Deed in favor of Baltimore County for the right-of-way for future extension of Ridgemont Road. I have prepared previously a Deed for consideration by your office. However, your office has advised that the Deed will have to be prepared by your staff and then executed by our clients. Please be advised that in order to comply with the conditions set out by the Deputy Zoning Commissioner in case number 95-198-SPH and 94-105-SPH, we must execute the Deed transferring the right-of-way for this roadway to the County as soon as possible. Upon your receipt and review of the enclosed materials I would appreciate if you or someone from your office would call me to discuss how quickly we can have the Deed prepared for execution. In furtherance of Deed preparation, please be advised that the title owners that will have to sign the Deed are as follows:

Thomas D. Dawes, Katherine K. Dawes and the Estate of Henry T. Dawes, Sr. The Personal Representatives of the late Henry Dawes' estate are: Dr. Deborah H. Dawes, Henry T. Dawes, Jr. and Ms. Sandra D. Dawes. If your office will have the Deed prepared promptly I will have it sent to these individuals to be executed and notarized.

Upon your receipt and review of this letter and the enclosed information should you have any questions or need additional information, as always, please do not hesitate to contact me.

Very truly yours,

  
Howard L. Alderman, Jr.

HLA/lah

Enclosures

cc: Mr. and Mrs. Thomas D. Dawes  
Stuart D. Kaplow, Esquire (w/enclosure)  
Timothy Kotoroco, Deputy Zoning Commissioner (w/enclosure)

THOMAS D. DAWES, et al.

Plaintiffs

v.

ALL HEIRS, DIVISEES, EXECUTORS,  
GRANTEES, ADMINISTRATORS,  
PERSONAL REPRESENTATIVES,  
ASSIGNS, SUCCESSORS IN RIGHT  
TITLE AND INTEREST OF THE  
ESTATE OF RACHEL RIDGELY  
COCKEY OR ANY LEGATEES OR  
HEIRS THEREIN; ALL PERSONS  
HAVING OR CLAIMING TO HAVE ANY  
RIGHT, TITLE, INTEREST, CLAIM,  
LIEN, OR OTHER INTEREST IN THE  
PROPERTY KNOWN AS RIDGEMONT  
BEING A TRACT OF  
2.715 ± ACRES LOCATED  
IN BALTIMORE COUNTY, MARYLAND

Defendants

IN THE

CIRCUIT COURT

FOR

BALTIMORE COUNTY

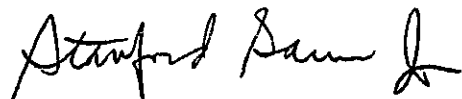
Case No. 03-C-95-7294

\* \* \* \* \*

LINE

Plaintiffs submit for filing the Certified Meets and Bounds  
Description of the Various Parcels owned by Plaintiffs as  
referenced in the Motion for Order of Default.

Respectfully submitted:



Stanford G. Gann, Jr.  
Howard L. Alderman, Jr.  
LEVIN & GANN, P.A.  
Suite 900  
2 Hopkins Plaza  
Baltimore, Maryland 21201  
(410) 539-3700  
Attorneys for Plaintiffs

FILED OCT 31 1995



DESCRIPTION OF PARCEL OF PART OF PARKS DEATH NOT IN DEED OF  
DEVELOPER OF RIDGEMONT WEST

October 21, 1995

All that piece or parcel of land situate, lying and being in the Eighth Election District of Baltimore County, State of Maryland and described as follows to wit:

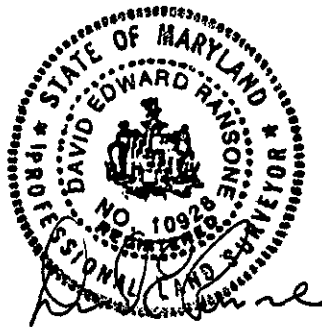
Beginning for the same at a point in the first line of a parcel of land which by a Deed dated May 22, 1956 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2942 folio 138 was conveyed from E. June Shock, unmarried to Mildred H. Dawes Kelley, Henry Talbott Dawes, and Thomas Dickerson Dawes, said point of beginning also being at the end of the first line of a parcel of land which is described in a Quit Claim Deed dated June 21, 1982 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 6405 folio 586 from Maurice L. Shipley and wife to Thomas D. Dawes and wife, et al, and running thence and binding on a part of the first line of the first mentioned parcel of land, North 51 degrees 56 minutes 41 seconds West 667.83 feet to intersect the third or South 20 degrees West 10 perches line of the parcel of land which by a Deed dated March 2, 1987 and recorded among the land Records of Baltimore County in Liber S.M. No. 7486 folio 253 was conveyed by Charles H. Schnepfe to Henry T. Dawes and wife, et al, thence binding reversely on a part of said third line and binding reversely on the second line of said last mentioned parcel of land the two following courses and distances viz: North 17 degrees 56 minutes 43 seconds East 159.41 feet, and South 49 degrees 50 minutes 20 seconds East 230.95 feet to intersect the last or North 39 degrees 08 minutes 07 seconds West 826.71 foot line of the parcel of land which by a Deed dated January 29, 1970 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 5069 folio 151 was conveyed by Frederick A. Savage, Jr. and wife to Arthur Herbert Becker and wife, thence binding reversely on a part of said last line South 46 degrees 38 minutes 21 seconds East 282.88 feet to the centerline of the Baltimore Gas and Electric Company electrical transmission line right of way, 30 feet wide, thence binding on the centerline of said electrical transmission line right of way, South 80 degrees 01 minutes 08 seconds West 77.37 feet thence running South 49 degrees 23 minutes 34 seconds East 238.42 feet to the end of the second line of the herein mentioned parcel of land which was described in the Quit Claim deed from Shipley to Thomas D. Dawes, et al, and thence binding reversely on said second line South 10 degrees 59 minutes 59 seconds West 52.63 feet to the place of beginning.

October 21, 1995

Page 2

DESCRIPTION OF PARCEL OF PART OF PARKS DEATH NOT IN DEED OF  
DEVELOPER OF RIDGEMONT WEST (Continued)

Containing 1.700 Acres of Land, more or less, as compiled  
from a Plat of Survey of "Dawes Property" by Gerhold, Cross  
and Etzel, Surveyors, dated April 30, 1987 and Revised June  
10, 1987.



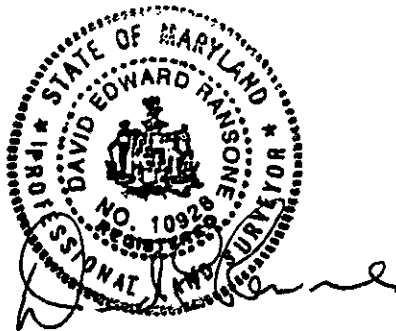
DESCRIPTION OF PARCEL OF PART OF PARKS DEATH NOT IN DEED OF  
KATHERINE K. DAWES

October 21, 1995

All that piece or parcel of land situate, lying and being in the Eighth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at the stone found at the end of the seventh line of the 2.854 acre parcel described in Deed dated December 15, 1977, from Mildred H. Dawes Kelley to Thomas D. Dawes, et al, and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 5840 folio 149, running thence and binding reversely on said seventh line, (1) North 51 degrees 56 minutes 41 seconds West 370.00 feet to the beginning of said seventh line, thence for lines of division the three following courses and distances, (2) North 10 degrees 59 minutes 59 seconds East 52.63 feet, (3) South 49 degrees 23 minutes 59 seconds East 420.38 feet and (4) South 80 degrees 45 minutes 22 seconds West 38.38 feet to the place of beginning.

Containing 0.340597 of an acre of land, more or less.



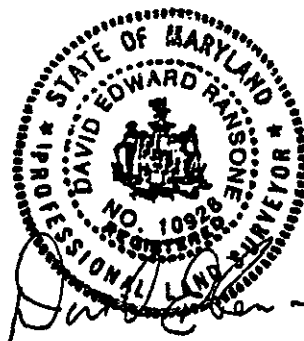
DESCRIPTION OF PARCEL OF PART OF PARKS DEATH NOT IN DEED OF  
RANDOLPH W. BRINTON

October 21, 1995

All that piece or parcel of land situate, lying and being in  
the Eighth Election District of Baltimore County, State of  
Maryland and described as follows to wit:

Beginning for the same at an iron pipe found planted at the  
end of the fifth line of the third or 8.934 acre parcel which  
by a Deed dated June 10, 1960, and recorded among the Land  
Records of Baltimore County in Liber W.J.R. No. 3713 folio  
468, was conveyed by Richard S. Schmidt and Grace D. Schmidt,  
his wife, to Maurice L. Shipley and Lucy Shipley, his wife,  
running with and binding on the sixth line of said third  
parcel South 46 degrees 39 minutes 34 seconds East 635.35  
feet to a 3/8" diameter pin found in a one foot high iron  
pipe at the end of said sixth line, thence for a line of  
division South 80 degree 45 minutes 22 seconds West 38.38  
feet to the end of the third line of the 0.340597 acre parcel  
which was described in a Quitclaim Deed from Maurice L.  
Shipley, and wife, to Thomas D. Dawes, et al, thence binding  
reversely on said third line to the beginning thereof North  
49 degrees 23 minutes 59 seconds West 420.38 feet and  
continuing the same course North 49 degrees 23 minutes 59  
seconds West 238.42 feet, thence for a line of division North  
79 degrees 56 minutes 03 seconds East 77.20 feet, more or  
less, along the center of an existing Consolidated Gas and  
Electric Light and Power Company transmission line right of  
way to the place of beginning.

Containing 0.673812 of an acre of land, more or less.



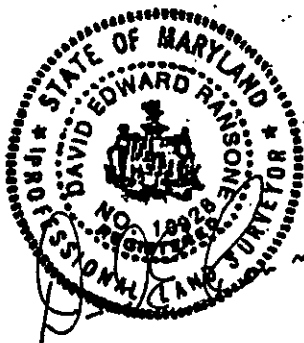
DESCRIPTION OF PARCEL OF PART OF PARKS DEATH NOT THAT  
INCLUDES 30 FOOT BALTIMORE GAS ELECTRIC ELECTRICAL  
TRANSMISSION LINE RIGHT OF WAY

October 21, 1995

All that piece or parcel of land situate, lying and being in  
the Eighth Election District of Baltimore County, State of  
Maryland and described as follows to wit:

Beginning for the same at a point in the first line of a  
parcel of land which by a Deed dated May 22, 1956 and  
recorded among the Land Records of Baltimore County in Liber  
G.L.B. No. 2942 folio 138 was conveyed from E. June Shock,  
unmarried to Mildred H. Dawes Kelley, Henry Talbott Dawes,  
and Thomas Dickerson Dawes, said point of beginning also  
being on the Southeast side of the 30 foot wide right of way  
for the existing electrical transmission line said  
transmission line being more fully shown on the plats of  
Ridgemont West which plats are recorded among the Plat  
Records of Baltimore County in Plat Book S.M. No. 63 folio  
16, etc., and running thence and binding on a part of the  
first line of said parcel of land and crossing said  
transmission line right of way, North 51 degrees 56 minutes  
41 seconds West 40.34 feet to intersect the Northwest side of  
said 30 foot wide right of way, thence binding on the  
Northwest side of said right of way, North 80 degrees 01  
minutes 08 seconds East 157.05 feet to intersect the last or  
North 39 degrees 08 minutes 07 seconds West 826.71 foot line  
of the parcel of land which by a Deed dated January 29, 1970  
and recorded among the Land Records of Baltimore County in  
Liber O.T.G. No. 5069 folio 151 was conveyed by Frederick  
A. Savage, Jr. and wife to Arthur Herbert Becker and wife,  
thence binding reversely on a part of said last line and  
recrossing said transmission line right of way and continuing  
the same course South 46 degrees 38 minutes 21 seconds East  
37.40 feet to the Southeast side of said right of way, and  
thence binding on the Southeast side of said 30 foot wide  
right of way, South 80 degrees 01 minutes 08 seconds West  
152.40 feet to the place of beginning.

Containing 0.106 of an Acre of Land, more or less.



\* IN THE  
\* CIRCUIT COURT  
\* FOR  
\* BALTIMORE COUNTY  
\* Case No. 03-C-95-7294  
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\*  
\*  
\*  
\*  
\*  
\*

\* CIRCUIT COURT

\* FOR

\* BALTIMORE COUNTY  
\* Case No. 03-C-95-7294  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

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\* \* \* \* \*

## ORDER

Upon consideration of Plaintiffs' Motion for an Order of Default (the "Motion") and no opposition having been filed after adequate publication and notice, it is this 24th day of OCTOBER, 1995, ORDERED that:

1. The Motion is hereby GRANTED;
2. An Order of Default is hereby entered against Defendants in favor of the Dawes Family; and
- 3 The title to the property which is the subject of the Complaint and as set forth in the Motion is hereby Quieted in favor of Plaintiffs.

JUDGE, CIRCUIT COURT FOR BALTIMORE COUNTY

**True Copy Test**  
SUZANNE MENSCH, Clerk

Per

Assistant Clerk

**FILED OCT 27 1995**

CIRCUIT COURT FOR BALTIMORE COUNTY  
Suzanne Mensh  
Clerk of the Circuit Court  
County Courts Building  
401 Bosley Avenue  
P.O. Box 6754  
Towson, MD 21285-6754  
(410)-887-2601, TTY for Deaf: (800)-735-2258

TO: STANFORD GANN, JR

Suite 900  
2 Hopkins Plaza  
Baltimore, MD 21201

THOMAS D. DAWES, et al.

Plaintiffs

vs.

ALL HEIRS, DIVISEES, EXECUTORS,  
GRANTEES, ADMINISTRATORS,  
PERSONAL REPRESENTATIVES,  
ASSIGNS, SUCCESSORS IN RIGHT  
TITLE AND INTEREST OF THE  
ESTATE OF RACHEL RIDGELY  
COCKEY, THE ESTATE OF RACHEL  
BUSSEY AND/OR ANY LEGATEES OR  
HEIRS IN EITHER ESTATE; ALL  
OTHER PERSONS  
HAVING OR CLAIMING TO HAVE ANY  
RIGHT, TITLE, INTEREST, CLAIM,  
LIEN, OR OTHER INTEREST IN THE  
PROPERTY KNOWN AS RIDGEMONT  
WEST BEING A TRACT OF  
2.715 ± ACRES LOCATED  
IN BALTIMORE COUNTY, MARYLAND

Defendants

\* \* \* \* \*

\* IN THE  
\* CIRCUIT COURT  
\* FOR  
\* BALTIMORE COUNTY  
\* Case No. 03-C-95-7294

ORDER

Upon consideration of Plaintiffs' Motion for Judgment on Order of Default (the "Motion") and no opposition to the Order of Default having been filed, it is this 25<sup>th</sup> day of December, 1995, ORDERED that:

1. The Motion is hereby GRANTED;
2. Judgment for Plaintiffs against Defendants is hereby ENTERED; and
- 3 The title to the property that is the subject of the Complaint and the Motion, which descriptions and ownership interests are incorporated in this Order by reference, is hereby QUIETED in favor of Plaintiffs as set forth in the Motion.

**True Copy Test**

SUSAN WILLIAMS, Clerk

Susan Williams  
Assistant Clerk

Robert L. Brannon  
JUDGE, CIRCUIT COURT FOR BALTIMORE COUNTY

**FILED DEC 28 '95**

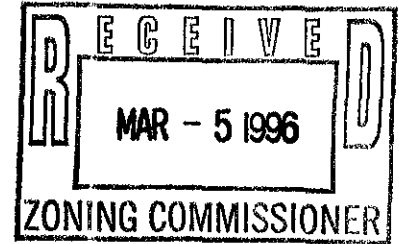


BALTIMORE OFFICE  
MERCANTILE BANK & TRUST BUILDING  
2 HOPKINS PLAZA  
9TH FLOOR  
BALTIMORE, MARYLAND 21201  
410-539-3700  
TELECOPIER 410-625-9050

LAW OFFICES  
**LEVIN & GANN**  
A PROFESSIONAL ASSOCIATION  
305 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
410-321-0600  
TELECOPIER 410-296-2801

*File*  
ELLIS LEVIN (1893-1960)

HOWARD L. ALDERMAN, JR.



February 27, 1996

Shirley Murphy, Chief  
Bureau of Land Acquisition  
Department of Permits and Development Management  
111 West Chesapeake Avenue  
Third Floor  
Towson, Maryland 21204

RE: Ridgmont West  
Right-of-Way for Extension of Ridgmont Road

*(Daves Property)*

Dear Ms. Murphy:

On February 7, 1996 I wrote and advised you that the Circuit Court for Baltimore County had vested fee simple title in my clients certain land, a portion of which, is to be dedicated to Baltimore County for the extension of Ridgmont Road. I included with that correspondence all copies of court orders and rulings on the motions filed on behalf of our clients.

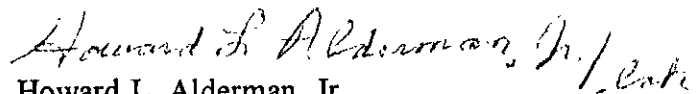
I followed the direction of your office and requested that a Deed be prepared promptly for the dedication of the right-of-way for the future Ridgmont Road. I further advised you of the names of the grantors to be included in that Deed. Finally, in accordance with the direction received from your office, I requested that your staff prepare the Deed as promptly as possible so that we may comply with outstanding Orders of the Deputy Zoning Commissioner for Baltimore County.

As of this writing, I have had no communication from your office regarding the status of the Deed preparation or any other aspect of this matter. I would appreciate it if, upon your receipt and review of this letter, you or someone on your staff would contact me to apprise me when we may expect the Deed for execution.

Shirley Murphy, Chief  
February 27, 1996  
Page 2

Should you need additional information to comply with this request, as always, do not hesitate to contact me.

Very truly yours,

  
Howard L. Alderman, Jr.

HLA/lah

cc: Mr. and Mrs. Thomas D. Dawes  
Stuart D. Kaplow, Esquire  
/ Timothy Kotoroco, Deputy Zoning Commissioner  
Arnold Jablon, Director

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

RAINDOLPH W. BRINTON

11818 MEYLSTON DR.

LUTHERVILLE, MD 21093

Tom Dawes

11811 Ridgeman Rd

Lutherville, MD 21093

Howard L. Alderman Jr  
Levin & Gann PA

305 W. Chesapeake Ave  
Suite 113 Towson 21204



Printed with Soybean Ink  
on Recycled Paper

**MICROFILMED**

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

STUART D. KAPLAN

5125 Rowland Ave 21210

MICROFILMED







IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
E/S of a private road off of \* DEPUTY ZONING  
Chippendale Road, 367'N of the \* COMMISSIONER OF  
C/L of Chippendale Road \* BALTIMORE COUNTY  
(1406 Chippendale Road)  
8th Election District  
3rd Councilmanic District  
Henry T. Daves, et al., \* Case No. 95-198-SPH  
Petitioners \* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing filed on behalf of the owners of the subject property, Henry T. Daves, by Thomas D. Daves, Attorney-in-Fact, and Thomas D. Daves. The Petitioners seek a further amendment to the Order of this Deputy Zoning Commissioner rendered in case no. 94-105-SPH, dated December 14, 1993 as that Order was first amended by an Amended Order dated December 21, 1993. The amendment requested in this case is to permit the immediate recordation of Lot 12D, Ridgemont West as shown on the Partial Development Plan, Plat Two, Section Two of Ridgemont West and approval for application and issuance of a building permit therefor, and a further extension of time for Petitioners to file an action in the Circuit Court for Baltimore County regarding issues of title relative to the proposed extension of Ridgemont Road, in accordance with Petitioners' Exhibit 1. Appearing on behalf of the Petitioners, who are represented by Howard L. Alderman, Jr., Esquire, was Randolph W. Brinton. Appearing as a Protestant in the matter was Stuart D. Kaplow, Esquire on behalf of an adjoining property owner, Arthur Becker. Testimony indicated that the subject property, Lot 12D, as shown on Petitioners'

Exhibit 1 is located south and outside of an area of land for which fee simple title is unclear, and through which the bed of the extension for Ridgemont Road is to be constructed. The Petitioners wish to exclude from the effect of the Order in Case No. 94-105-SPH, Lot 12D such that a record plat therefor may be recorded among the Land Records of Baltimore County immediately and Petitioners or their assigns can apply for and receive a building permit for said lot. The concern of the Protestant as articulated by Mr. Kaplow, is that permitting the recordation of Lot 12D without conditions would potentially remove a substantial portion of incentive from the Petitioners to resolve issues of title which preclude the dedication of the Right of Way for the Ridgemont Road extension. The Petitioners and counsel for the Protestants availed themselves of the opportunity to attempt to reconcile and reach a compromise with respect to the desires of each. Counsel for Petitioners was permitted to proffer, in detail, the compromise as agreed.

After due consideration of the compromise proffered it appears that the relief requested in the Special Hearing should be granted, subject to the restrictions set forth hereinafter. It has been established previously and reestablished at this hearing that the requirements from which the Petitioners seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to a public health, safety and general welfare, provided that the below conditions are incorporated.

Pursuant to the advertisement, posting of the property, and

2

public hearing on the Petition held, and for the reasons given above this Special Hearing should be granted as conditioned herein.

THEREFORE IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 6<sup>th</sup> day of March, 1995 that the Petition for Special Hearing to approve the Amended Partial Final Development Plan and to permit the recordation of Lot No. 12D only as shown on Petitioners' Exhibit 1 and to permit Petitioners and their successors or assigns to apply for and receive a building permit therefore is hereby granted subject to the following conditions:

1. Petitioners shall file a Complaint in the Circuit Court for Baltimore County, to resolve the fee simple title issues necessary for the complete dedication of the forty foot wide right of way to Baltimore County for the extension of Ridgemont Road as shown on Petitioners' Exhibit 1 and Petitioners shall use best efforts to diligently pursue to conclusion said action.

2. At such time as fee simple title of the land necessary for dedication of the extension of Ridgemont Road as shown on Petitioners' Exhibit 1 is vested in Petitioners, the Petitioners shall immediately dedicate the said forty foot right of way, together with a ten foot revertible slope easement to Baltimore County at no cost to the County.

3. Until such time as the forty foot wide right of way has been dedicated to Baltimore County for the extension of Ridgemont Road as shown on Petitioners' Exhibit 1, no building permits shall be issued on Lots 14A, 4C and 3C as shown on Petitioners' Exhibit

3


1. Petitioners and Protestants shall dismiss, with prejudice, immediately any and all pending appeals that one has against any development or zoning approvals of the other. Furthermore, Petitioners agree not to further appeal the decision of the County Board of Appeals for Baltimore County in Case No. 94-256-SPH.

4. Petitioners shall be permitted to record a record plat among the Land Records of Baltimore County for Lot 12D only.

5. Upon the filing of the Circuit Court action as required by this Order, Petitioners, their successors and/or assigns may immediately apply for a building permit for Lot 12D.

Timothy M. Kotroco  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

4

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning  
  
Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-4386  
March 6, 1995

Howard L. Alderman, Jr., Esquire  
Levin & Gann  
305 W. Chesapeake Avenue  
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING  
E/S private road off Chippendale Road, 367' N of C/L Chippendale Road  
(1406 Chippendale Road)  
8th Election District - 3rd Councilmanic District  
Henry T. Daves, et al - Petitioners  
Case No. 95-198-SPH

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,  
Timothy M. Kotroco  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Thomas D. Daves, 11811 Ridgemont Road, Lutherville, Md. 21093

Stuart D. Kaplow, Esquire  
5125 Roland Avenue, Baltimore, Md. 21210

People's Counsel

File



## Petition for Special Hearing to the Zoning Commissioner of Baltimore County for the property located at 1406 Chippendale Road which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

a further amendment to the Order and Amended Order in Case No. 94-105-SPH to permit the immediate recordation of Lot 12D and the issuance of a building permit therefor, and for a further extension of time within which Petitioners are required to file an action in the Circuit Court for Baltimore County regarding ownership issues related to the proposed extension of Ridgemont Road.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Lessor:

N/A  
(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

Howard L. Alderman, Jr., Esquire  
Levin & Gann, P.A.  
305 W. Chesapeake Avenue, Suite 113  
Towson, MD 21204

Thomas D. Daves  
(Type or Print Name)

Signature

Address

City State Zipcode

With this testimony declared and affirmed, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

(Legal Owner(s))

HENRY T. DAVES  
(Type or Print Name)

Signature

THOMAS D. DAVES  
(Type or Print Name)

Signature

11811 Ridgemont Road 252-8657  
Address Phone No.

Lutherville, MD 21093

City State Zipcode

Thomas D. Daves  
Address and phone number of legal owner, contract purchaser or representative to be contacted.  
11811 Ridgemont Rd. 21093 252-8657  
Address Phone No.

Signature

Address

City State Zipcode

ESTIMATED LENGTH OF HEARING: 1-2 hr.  
unavailable for hearing

the following date: Next Two Months

ALL OTHER

REVIEWED BY: TMK DATE: 11/30/94

## EXAMPLE 3 • Zoning Description - 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 1406 Chippendale Road, Lutherville, MD 21093

Election District 8th (address)  
Councilmanic District 3rd

The proposed amendment  
Beginning at a point on the east side of a private road  
(north, south, east or west)

Chippendale Road & Private Road  
(street on which property fronts) which is 50' wide & 20' wide  
(number of feet of right-of-way width)

wide at a distance of 367 feet north of the  
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street Chippendale Road cul de sac  
(name of street)

which is 50' diam. cul de sac at end of 50' R.O.W. - Being Lot # 12  
(number of feet of right-of-way width) (The C. of the cul de sac is 970' west and north of the C. of Ridgemont Road.)  
Block D, Section 2 in the subdivision of

Ridgemont West as recorded in Baltimore County Plat  
(name of subdivision)

Book #SM 63, Folio # 16, containing 1.234 acres

or 56,366.64 s.f.  
(square feet and acres)

"If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber #, Folio #, and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N.87° 12' 13" E. 321.1 ft., S.18° 27' 03" E. 87.2 ft., S.62° 19' 00" W. 318 ft., and N.08° 15' 22" W. 80 ft. to the place of beginning.

#193

## CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 8th Date of Posting 2/14/95

Posted for: Special Hearing

Petitioner: Henry T. Thomas Daves

Location of property: 1406 Chippendale Rd. Lutherville, Md.

Location of Signs: Along road along on property being zoned

Remarks:

Posted by: [Signature] Date of return: 1/3/2/95

Number of Signs: 1

## CERTIFICATE OF PUBLICATION

TOWSON, MD., 12/15, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/15, 1994

THE JEFFERSONIAN,  
A. Henrichson  
LEGAL AD. - TOWSON

### NOTICE OF DECISION

The Zoning Commission of Baltimore County, by authority of the Zoning and Regulations of Baltimore County, has decided on the petition for a Special Hearing filed in Case #94-105-SPH to permit the immediate recordation of Lot 12D and the issuance of a building permit therefor, and for a further extension of time within which Petitioners are required to file an action in the Circuit Court for Baltimore County regarding ownership issues related to the proposed extension of Ridgemont Road.

Case #95-198-SPH

1406 Chippendale Road

8th Election District

3rd Councilmanic District

Legal Owner(s):

Henry T. Daves and

Thomas D. Daves

Hearing: Thursday,

January 12, 1995 at

5:00 P.M. in Room 118, 400

Courthouse.

Special Hearing to approve

a further amendment to the

Order and Amended Order in

Case #94-105-SPH to permit

the immediate recordation of

Lot 12D and the issuance of a

building permit therefor, and for

a further extension of time

within which Petitioners are

required to file an action in the

Circuit Court for Baltimore

County regarding ownership

issues related to the proposed

extension of Ridgemont Road.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for Baltimore County

NOTES: (1) Petitioners are to

appear at the hearing for a

decision on the petition. If

they fail to appear, the

Commissioner may decide the

petition on the basis of the

written record. (2) If the

Commissioner decides the

petition in favor of the









Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

12-7-94

Ms. Julie Winiarski  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No: § 193 (MTK)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*

for Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 12/02/94

Arnold Seiler  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP 109

Re: Property Daves and Daves

LOCATION: DISTRIBUTION YES 100 OF DEC. 12, 1994

Item No: 385 BCLM

Zoning Agency:

Comments:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

2. The Fire Marshal's Office has no comments at this time.  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 190, 191, 192, 193, 194, 195, 196 AND 197

REVIEWER: LT. ROBERT P. BARNER, D.  
Fire Marshal's Office, PHONE 887-4881, MS-1105F

See File

Printed on Recycled Paper

RE: PETITION FOR SPECIAL HEARING \*  
1406 Chippendale Road, E/S private \*  
road and Chippendale Road, 367' N \*  
of c/l Chippendale cul de sac, 8th \*  
Election Dist., 3rd Councilmanic \*  
Henry T. Dawes and Thomas D. Dawes \*  
Petitioners \*  
\* \* \* \* \*

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
CASE NO. 95-198-SPH

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final order.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carol S. Demilio*  
CAROL S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of December, 1994, a copy of the foregoing Entry of Appearance was mailed to Howard L. Alderman, Jr., Esquire, Levin & Gann, P.A., 305 W. Chesapeake Avenue, Suite 113, Towson, MD 21204, attorney for Petitioners.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN

COUNTY HIGHWAY DEED

THIS DEED, made this 23RD day of November, in the year 1994, by HENRY T. DAWES and THOMAS D. DAWES and KATHARINE K. DAWES, his wife, collectively the "Grantors."

WITNESSETH, that in consideration of the sum of Five (\$5.00) Dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said Grantors do grant and convey unto BALTIMORE COUNTY, MARYLAND, a body corporate and politic, its successors and assigns, in fee simple, for public highway purposes, all that lot of ground situate, lying and being in the Eighth Election District of Baltimore County, State of Maryland, and described as follows, that is to say:

BEING a parcel of land across the property of the Grantors, said parcel of land containing 0.472 acres of land, more or less, to be used for the construction and extension of Ridgemont Road, as shown, delineated and indicated "40' R/W Extension of Ridgemont Road 0.472 Ac. ±" on a Baltimore County, Office of Law, Division of Real Estate drawing prepared by David Ransone, Professional Land Surveyor, which is attached hereto and made a part hereof Exhibit A.

BEING a portion of the property described in a Confirmatory Deed from Henry T. Dawes and Eleanor French Dawes, his wife, and Thomas D. Dawes and Katharine K. Dawes, his wife, Grantors, unto Henry T. Dawes and Eleanor French Dawes,

his wife, and Thomas D. Dawes and Katharine H. Dawes, his wife, Grantees. The said Eleanor French Dawes departed this life on October 4, 1994.

BEING also a portion of that property, the title to which was vested in the Grantors herein by virtue of an Order dated \_\_\_\_\_ by Judge \_\_\_\_\_ of the Circuit Court for Baltimore County, pursuant to a Complaint for Adverse Possession filed by Grantors herein, said case being docketed as Case No. \_\_\_\_\_

TOGETHER WITH the appurtenances and advantages to the same belonging or in anywise appurtenant.

TO HAVE AND TO HOLD the above granted property unto Baltimore County, Maryland, a body corporate and politic, its successors and assigns, in fee simple, for public highway purposes.

AND the said Grantors hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed and that they will execute such further assurances of the same as may be requisite.

AS WITNESS the due execution hereof by the aforementioned Grantors.

WITNESSES:

GRANTORS:

*Henry T. Dawes*

*Henry T. Dawes* (SEAL)  
Henry T. Dawes

*Thomas D. Dawes*  
*Katharine K. Dawes*

*Thomas D. Dawes* (SEAL)  
Thomas D. Dawes  
*Katharine K. Dawes* (SEAL)  
Katharine K. Dawes

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY that on this 23RD day of November in the year 1994, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared HENRY T. DAWES, and he acknowledged the foregoing Deed to be his act, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS my Hand and Notarial Seal.

My commission expires: 11-1-95

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY that on this 23RD day of November in the year 1994, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared THOMAS D. DAWES, and he acknowledged the foregoing Deed to be his act, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS my Hand and Notarial Seal.

My commission expires: 11-1-95

*Carol S. Demilio*  
Notary Public

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY that on this 23RD day of November in the year 1994, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared KATHARINE K. DAWES, and she acknowledged the foregoing Deed to be her act, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS my Hand and Notarial Seal.

My commission expires: 11-1-95

Reviewed for form and legal sufficiency  
and approved for execution this \_\_\_\_\_ day  
of \_\_\_\_\_, 199\_\_

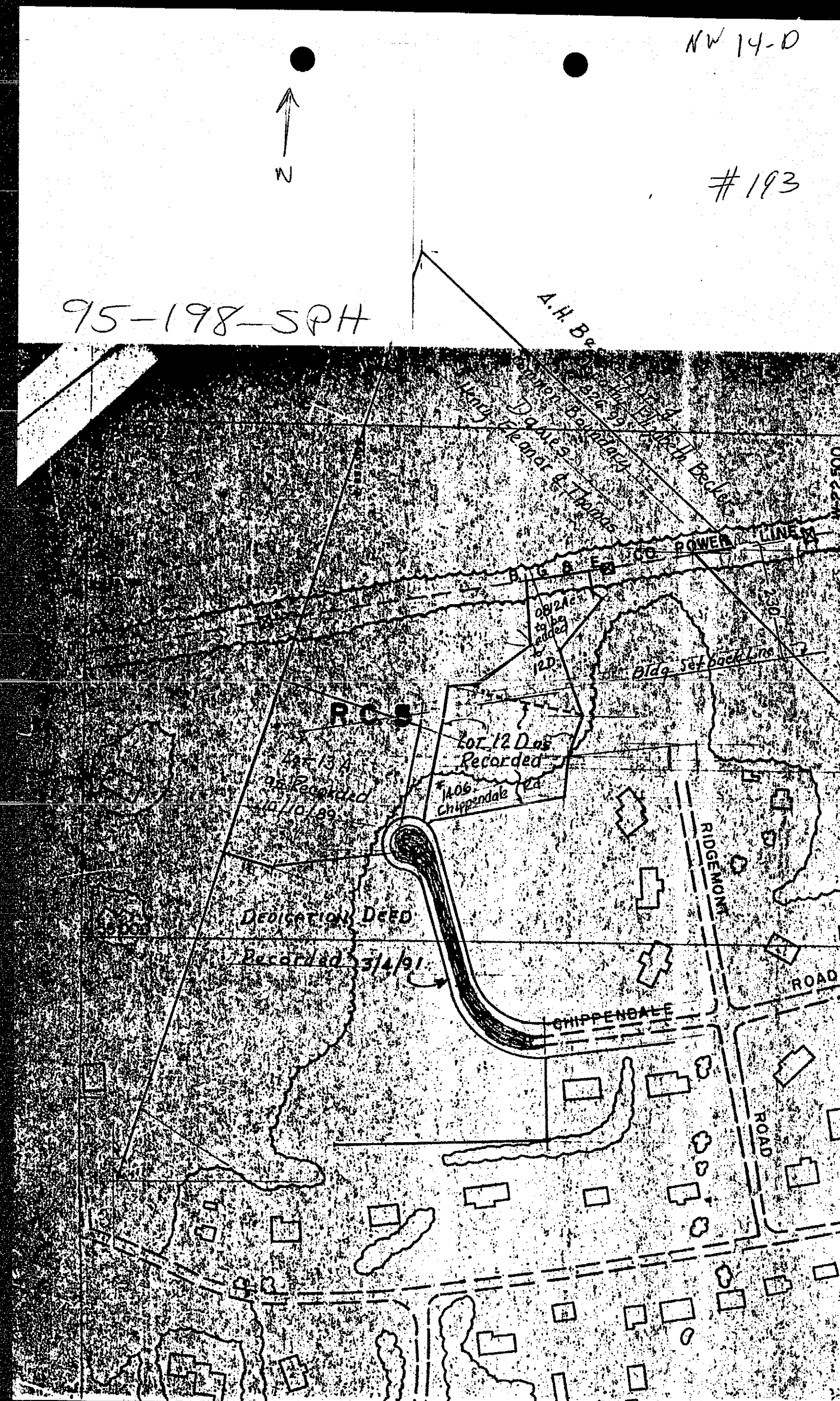
*Shirley M. Murphy*  
Shirley M. Murphy, Special Assistant  
to County Attorney

\_\_\_\_\_, Director  
Department of Public Works

ATTEST:

APPROVED and ACCEPTED this  
day of  
BALTIMORE COUNTY, MARYLAND

BY: *Charles A. "Dutch" Keppersberger, III*  
County Executive

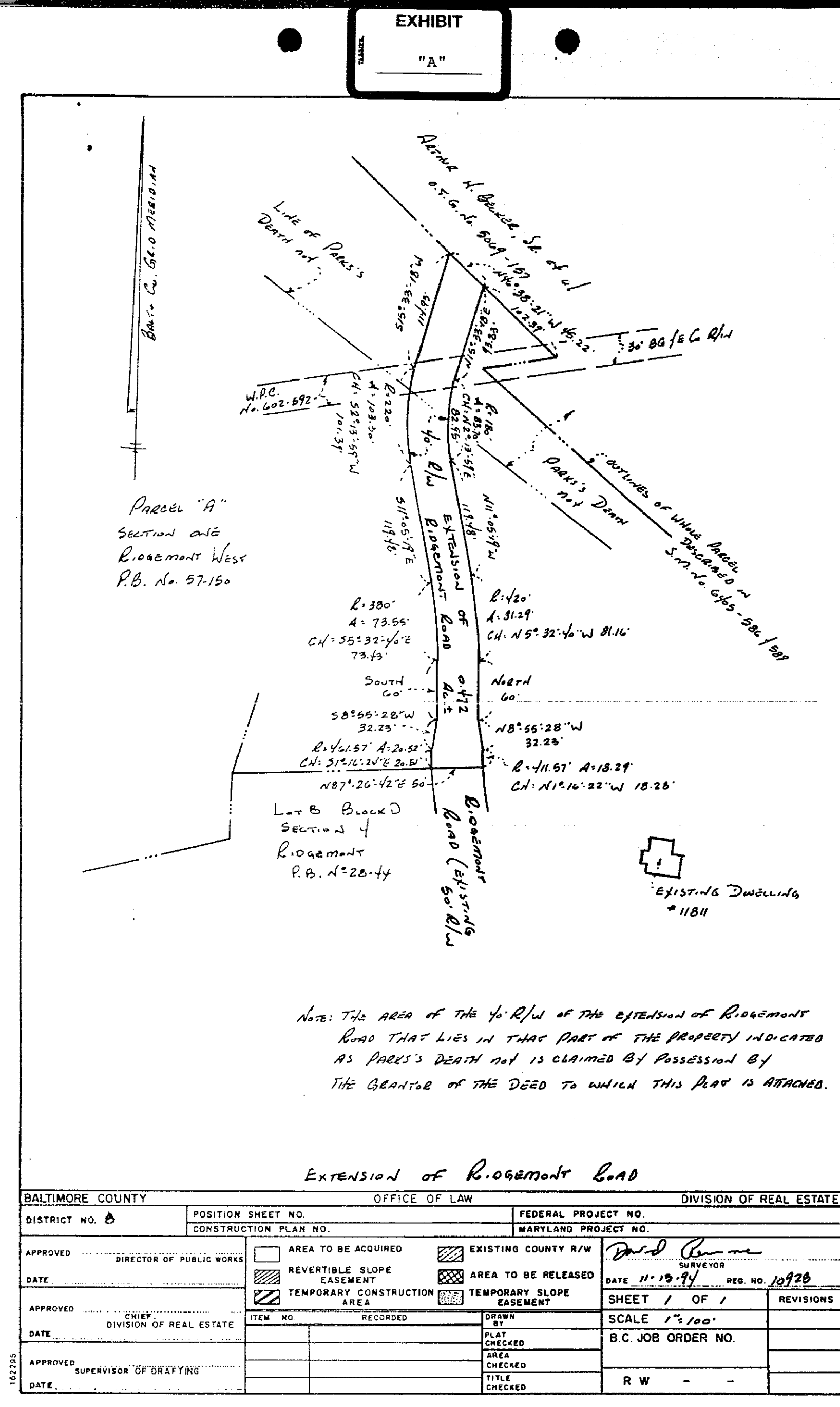




I HEREBY CERTIFY that the above instrument was prepared by me, an attorney admitted to practice before the Court of Appeals of Maryland, or under my supervision


Howard L. Alderman, Jr.

Howard L. Alderman, Jr., Esquire  
Levin & Gann, P A  
305 W. Chesapeake Avenue  
Suite 113  
Towson, Maryland 21204



PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
RANDOLPH W BRINTON	11818 MEYISTON DR. LUTHERVILLE, MD 21093
Tom Dawes	11811 Ridgemont Rd Lutherville, MD 21093
Harold L. Alderman Jr Levittown PA	305 W. Chesapeake Av Suite 113 Towson 21204

 Printed with Soybean Ink  
on Recycled Paper

(410) 252-8657

RE: "A further amendment to the Order and Amended Order in Case No. 94-105 SPH to permit the immediate recordation of Lot 12D and the issuance of a building permit therefor, and for a further extension of time within which Petitioners are required to file an action in the Circuit Court for Baltimore County regarding ownership issues related to the proposed extension of Ridgemont Road."


Enclosed herewith are 10 prints of the "Final Development Plan, (1st Amendment to FDP of Plat 2, Sect. II-Lot 12D + Plat 1, Sect. 2-Lot 13A, Tract A + Lot 12A); Riggmont West - Section Two" showing "Lots 12D, 14A, 3C, 4C & Parcel 14D".

These are prints of the same original from which prints were taken for the 10/25/93 hearing, Case No. 94-105 SPH.

I have updated the original for ownership and recording of Declarations for various purposes in the Land Records of Baltimore County

Also enclosed are three original "Petition for Special Hearing" prepared by Howard L. Alderman, Jr., Esquire, and our check in the amount of \$85.00. I assume we will be billed directly for the advertising.

Thank you for your attention to this matter.

Sincerely,  
  
 Thomas D. Dawes

CC:  
Families Blanton & Pettit (Chippendale Road residents)  
Howard L. Alderman, Jr., Esquire  
Henry T. Dawes

PROTESTANT(S) SIGN-IN SHEET

[illegible]

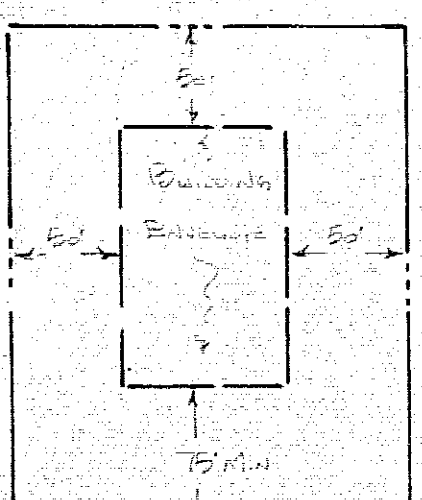


1. No more third tobacco loans (March 1945) were to be received from the Economic Cooperation Administration (E.C.A.).

15A. 300 Deep. 78° aprn @ 27'-8"  
5-10-89 test by Harr

14D. 200 Deep. 87° aprn @ 134'-5"  
6-1-89 test by Harr

4C. (Originally 13D) 250' Deep  
12-6 aprn @ 57'-4"  
4-13-88 test by Harr



## SOILS INFORMATION

SOL TYPE	CLASS	SINGLE FARM/ DWARFING WITH BASEMENT	STREET	SEPTIC FIELDS
EH <sub>02</sub>	ELIOLK	SLIGHT	SLIGHT	SLIGHT
EH <sub>02</sub>	ELIOLK	MODERATE; SLOPE	SEVERE; SLOPE	MODERATE; SLOPE
GNB 37. 56	GLENNING	SEVERE; HIGH WATER TABLE	SEVERE; HIGH WATER TABLE	SEVERE; HIGH WATER TABLE
1 <sup>st</sup> MC <sub>02</sub>	MARJOR	MODERATE; SLOPE	SEVERE; SLOPE	MODERATE; SLOPE

Wells to be Used:

13A, 300' Deep, 4.29 apm @ 235-6" 12-2-87  
12D, 300' Deep, 5.00 apm @ 265" 12-29-87  
14A, 205' Deep, 5.55 apm @ 135-3" 5-6-89

Lots of Exempt from SWM:

13A: 2.134 Ac. recorded isolates SWM #1 piglet, 100% wooded.  
12D: 2.046 Ac. 90% wooded.  
14A: 7.500 Ac. (uses Well 14A & 56A approved for 15A) 100% wooded.

Chipped in 13A completed 10/88 under SWM was never approved 5/13/89  
No new wood improvement project. No 13A, 12D, 14A and 15A (over  
effect on 5/13/89 project) and 13A, 12D, 14A, 15A, 16A, 17A, 18A, 19A, 20A  
where 6 were approved only 5/12/88 under 5/13/89 SWM under

### Accession/STRUCTURE note

1. Envelopes show where the location of all principal components and, therefore, principal features and measurements are made and are constructed using the gridline, but must contain some material you are not of the Baltimore County Public Administration. (Subject to Government and appropriate business practice)

Director of ZADMO POSTE

[illegible]

**Laurenz G. Bendabaz**  
 Junior High School, Karlsruhe, Germany

A further Reference Appendix to the Office of Railway Safety  
The following are the names of the

DEPPM's  
F.B.I.  
NOTES:

There shall be no clearing, grading, construction or interference with vegetation in the Forest Buffer Easement except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.

Any Forest Buffer Easement shown hereon is subject to preconditions and covenants which may be found in the Land Records at Baltimore County and which restrict and encumber and use of the same.

\*Recorded Lot 13A, parcel 135 set back to principal structure from spring road is FBE. Steve Howard 4/10/12

GENERAL NOTES:

1. Measurement of the boundaries to the Community Parcel: 3. Section 1000 1/2 acres.
2. Section 1000, Grant Award Number 1000, This is the Grant.
3. Section 1000 1/2 acres.
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100. Section 1000 1/2 acres.

THIS FDP IS IN COMPLIANCE  
WITH EXHIBIT 1 OF ZONING  
HEARING 94-105-SPH (held 10/25/94)

[illegible]

28 The permit for the erection of a principal structure within the 13A building envelope as shown here on will be approved upon the approval of this FDP. The boundaries of lot 13A remain as recorded 10/10/83 in L233488 in SM 61 on page 12.

29. Will and Rev 12A, 13A, 12L, Parcel 14D 4043G  
are Subject to the Following Declarations  
Recorded in the Land Records of D.C. Co.:  
Covenants & Restrictions, BK 7705, p. 603  
: Modification 10638, p. 273B  
10639, p. 320.  
as & Decl. of Disclosures: Affidavit 10638, p. 332.  
and Subj. to Easement: Affidavit 10639, p. 336.  
11-30-94 10/26/95

17 *Agave americana*,  
Guzmán (1),  
Los Sábones (5)

~~Color-coded as follows for display at the Special Zoning Hearing and on maps and color-coded & distributed to 17 Resident Families in RIDGEMONT & RIDGEMONT WEST on 10/22/93 by T. Dawes~~  
~~Yellow - home site that remains to be improved.~~

GREEN - 10 acres of privately-owned openspace, mostly wooded, that is the result of the 230' setback from the Power line and the Forest Buffer Easements.  
The 230' setback has eliminated 3 lots that were approved by the CRG on 5/20/88.

RED - 40 acres. Dawes has signed (witnessed) the Deed, prepared by Howard L. Auerman, Jr., Esquire, for the conveyance of the 412 acres to Bullo Co. as part of the open space agreement (among the County, Chippendale Rd residents, Becker & Dawes) that will permit Dawes to complete the R18000 West subdivision in accordance with the schedule for development announced at the CRG bearing held on 3/31/89 - a schedule that is cited as legitimate by the County Board of Appeals Opinion dated 8/8/90 at the conclusion of Case 39-186.

2nding. Dairy Road  
 about 12,000  
 Ac. 1000  
 Section 14 - 6 lots  
 (RR 57, 60)  
 1sting - Section 14 - 1 lot (12)  
 (1sting - Section 14) 12 lots (12)  
 2nding - 4 lots (1sting - 12)  
 1sting (12)  
 Total 10 lots  
 (1sting 13 lots 5/10/88)

For title to the 40<sup>th</sup> 1/2<sup>nd</sup> of the extension of  
 Highway Road (3.44 acres), see County Highway  
 Order prepared by Howard L. Alderman, Jr., Esquire, of  
 Levin & Co., P.A., and dated November 23, 1994,  
 bearing the names and signatures of Henry T. Dawes,  
 Thomas D. Dawes and Katherine K. Dawes, his wife;  
 and see Order dated \_\_\_\_\_ by Judge \_\_\_\_\_  
 of the Circuit Court of St. Lawrence County, pursuant to  
 Adverse Possession filed by the above-named grantors, said  
 case being docketed as Case No. \_\_\_\_\_

75-8 41-30-34

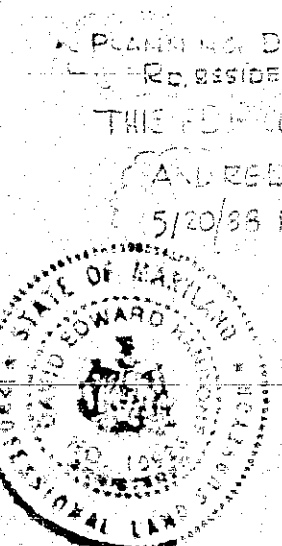
95-198-SPH  
DENSIITY - ROSEMONT WEST

Expenses - 2nd	1862
Spent for	1862 1864
No. Lots - 1862	18. 1864
No. Lots - 1862	10 + 1864 140
Debt	21
No. Lots - 1862	1 + 1864 140
No. Lots - 1862	17. 1864

[illegible]

See Print of plan and profile - Engineering Road Section  
to the Becker Property (first submitted by Mr. Arthur L.  
Becker, Sr. on 7/20/90). That has been submitted  
to Mr. Don Thomas of DPW on 10/15/93. Based on  
field run type, highway's profile shows the feasibility  
of the 40' rural section in this situation. The original  
of this plan is in the possession of Gerald Conrad Etzky,  
Mr. Becker's engineer for the weekly Mt. Crest.

PET. EX. 1 #193  
FINAL  
DEVELOPMENT PLAN  
(1st Amendment to FDP of Plat 2, Sect II - Lot 12D + Plat 1, Sect 2 - Lot 15A, Tract A + Lot 12A ~~and~~)  
RIDGE MOUNT WEST - SECTION TWO



TECTORS FIELD DEVISED THIS PLAN ON 9/30/93, IN THE PRESENCE OF BECKER, KAPLOW, CHAPPELLE, DAVIS & RAYMOND. THE PURPOSE OF PROVIDING ACCESS TO BECKER PRIOR TO COMPLETION OF EROSION CONTROL MEASURES TO THE REINFORCEMENT APPV C BY THE DESIGN REVIEW COMMITTEE ON 10/10/93. SUBJECTS TO 17 THE TOTAL NUMBER CROTS TO BE DEVELOPED UNDER PLAN 88035 APPV D FOR 13 LOTS. THE TOP RESPONSE TO DESIRS REQUESTS MADE AVAILABLE BY DPW ON 11/23/93.  
SCALE: 1" = 100'  
OCTOBER 21, 1993  
7822 11/2/93

a plastic bag containing 100 dry bags, 40 from Grace Attorney's Office, 60 postal lot 40; (6) Sealed  
 1987-1988 12-2-93 12-2-93 12-2-93 12-2-93 12-2-93 12-2-93 12-2-93 12-2-93 12-2-93 12-2-93

Water Quality (1st yr). River SGA water treatment plants access of river to meet western  
 quality pond north from the Mississippi Road and sea.

Revised 12-2-93 to: 1) Add Stormwater Mgmt (EN.Mgmt) label to D.G. Grant for Ridgeland Rd.  
 12-2-93 2) Add 2 parcels to label #4 of other print by Grace Sealed.

ORDER dtd 11-13-93 AMENDED 12-21-93 Cdn 9-94 105-SPH  
 addn 1-10-94 b.t.d. 3 prints submitted  
 1-11-94 w/cps Order Amended 1-21-94 1 copy ex  
 of DEPDM 11/11 dtd 12-2-93 12-21-93 75-93

OFFICE OF PLANNING AND ZONING  
 APPROVED 12-1:

*[Handwritten: JDD]*

DIRECTOR OF PLANNING

Thomas D. James, P.E., 61ST Amendment  
1181 Ridgemont Road  
Lutherville, MD 21093 (410) 257-8257.

DIRECTOR OF ZADM